

# CITY COUNCIL REPORT



Meeting Date: May 22, 2012  
 General Plan Element: *Land Use*  
 General Plan Goal: *Create a sense of community through land uses*

## ACTION

### Optima Sonoran Village 1-ZN-2010#2 & 1-II-2012

#### Request to consider the following:

1. Adopt Ordinance No. 4015 affirming a zoning district map amendment, including a Development Plan and Amended Site Development Standards, and approving a Downtown Infill Incentive District application, finding that the Planned Block Development criteria have been met, the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, finding that the goals and policies of the Downtown Infill Incentive District have been demonstrated on a 9.87 +/- acre site located at 6801 E. Camelback Road with Downtown Regional Commercial Office, Type 2, Planned Block Development, Downtown Overlay (D/RCO-2 PBD DO) zoning.
2. Adopt Resolution No. 9061 declaring "Optima Sonoran Village Development Plan Including Development Standards" as public record.

## OWNER

Optima Sonoran Village, LLC  
 480-874-9900

## APPLICANT CONTACT

John Berry  
 Berry & Damore, LLC  
 480-385-2727

## LOCATION

6801 E. Camelback Road



## BACKGROUND

### General Plan

Action Taken \_\_\_\_\_

The General Plan Land Use Element designates the property as Mixed-Use Neighborhoods. This category includes areas for higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office.

### **Character Area Plan**

This site is classified by the Downtown Character Area Plan's Land Use chapter as Downtown Regional – Type 2, which is characterized primarily by land uses consisting of regional/community serving commercial uses, as well as larger scale housing developments that are commonly centered around or near major regional retail developments. The site was incorporated into the Downtown Character Area boundary with the adoption of the Downtown Character Area Plan update in June 2009.

### **Zoning**

The site is zoned Downtown Regional Commercial Office, Type 2, Planned Block Development, Downtown Overlay (D/RCO-2 PBD DO). The D/RCO zoning district is intended to provide for large-scale development of office and commercial uses, including regional shopping centers. Residential uses are permitted in mixed-use developments. The PBD overlay district is intended to allow flexibility in certain land-use and development standards for larger scales of development.

### **Context**

Phase 1 of the project is currently under construction based on previous approvals. The site is located on the southeast corner of E. Camelback Road and N. 68<sup>th</sup> Street and is surrounded by a variety of uses including retail, commercial office, motel, and single-family residential uses. Please refer to context graphics attached.

### **Key Items for Consideration**

- Consistency with the General Plan
- Consistency with the Downtown Character Area Plan
- Consistency with the Downtown Infill Incentive Plan
- Consistency with the Downtown Urban Design & Architectural Guidelines
- Applicant contribution of \$250,000 to Downtown improvements
- No impacts to existing infrastructure service levels anticipated
- Written inquiry and opposition received (see Attachment #8)
- Development Review Board recommended approval by unanimous vote of 6-0
- Planning Commission heard this case on April 25, 2012 and recommended approval with a vote of 5-0

### **Other Related Policies, References:**

- General Plan
- Downtown Character Area Plan
- Downtown Infill Incentive Plan
- Zoning Ordinance
- 1-ZN-2012: Rezoned site from Service Residential District (S-R) to Downtown District, Regional Commercial Office, Type 2, Downtown Overlay, Planned Block Development (D/RCO-2 DO PBD)

- 66-ZN-1964/7-ZN-1965: Rezoned site from Single Family Residential District (R1-18) to Service Residential District (S-R)

## APPLICANTS PROPOSAL

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### Goal/Purpose of Request

The applicant is seeking approval of a zoning district map amendment, including a revision to the project's previously-approved Development Plan, and a Downtown Infill Incentive District application, which includes Amended Site Development Standards. Approval of the two applications would permit additional height and density on the Optima Sonoran Village site. To accomplish the Development Plan as proposed, the applicant is requesting the following:

Case 1-ZN-2010#2 is a request by the owner for a zoning district map amendment to the previously-approved rezoning by amending the prior zoning case stipulations and approving a revised Development Plan.

Case 1-II-2012 is a request by owner for approval of a Downtown Infill Incentive District application by approving a Development Plan and amendments to Site Development Standards of the Zoning Ordinance including: 1) Residential/hotel FAR bonus maximum (not to exceed 0.78); 2) Total maximum FAR (not to exceed 2.18); 3) Bonus Height Maximum (not to exceed 129 feet); 4) Large Walls – Vertical dimension maximum (provision deleted); 5) Building Envelope (change to 4:1 on north side of property); 6) Maximum density (not to exceed 80 du/acre); and 7) Exceptions to height limits (clarify language).

### Development Information

- Existing Use: Mixed-Use Project (currently under construction)
- Proposed Use: Mixed-Use Project (multi-family residential and commercial uses)
- Parcel Size: 371,456 net square feet (8.53 net acres)
- Approved Building size: 726,700 square feet
- Proposed Building Size: 810,000 square feet
- Approved Floor Area Ratio: 1.8
- Proposed Floor Area Ratio: 2.18 (with infill incentive approval)
- Approved Building Height: Varies (maximum 65 feet not including mechanical screening)
- Proposed Building Height: Varies (maximum 129 feet inclusive of mechanical screening with infill incentive approval)
- Parking Required: 1,150 spaces
- Parking Provided: 1,180 spaces
- Approved Open Space: 262,000 square feet (6.01 acres)
- Proposed Open Space: 266,046 square feet (6.11 acres)
- Density Approved: 50 dwelling units per gross acre (493 units)
- Density Proposed: 80 dwelling units per gross acre (781 units with Infill Incentive approval)

## IMPACT ANALYSIS

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### General Plan

The Land Use Element of the General Plan designates the site as Mixed-Use Neighborhoods. This category includes higher density residential, office, and retail uses. Mixed-Use Neighborhoods are also characterized by being located in areas that have multiple modes of transportation available. The Downtown is a designated Growth Area that also relies on these factors. The proposed development addresses several of these goals and approaches, as identified in the applicant's narrative (Attachment #4).

### Character Area Plan (Downtown Plan)

This site is one of three areas that were added to the Downtown Character Area Plan boundary with the recent update that was approved in June 2009. The amended development plan continues to comply with the goals and policies outlined in the Downtown Character Area Plan (CAP). More specifically, the amended development continues to align with specific policies of the Land Use chapter, including LU1.2., which states that it is important to maintain Downtown as a year-round, 24-hour highly functional mixed-use center, containing areas of different densities, architectural styles, and land uses that support the needs of Scottsdale's residents and visitors. The amended development plan continues to be a mixed-use development that will integrate with the existing regional land uses near the E. Camelback Road and N. Goldwater Boulevard intersection.

The General Plan notes that the Downtown Area, as delineated in the Downtown CAP, is one of the city's most suitable areas for mixed-use developments and the proposal continues to align the subject property with the Downtown CAP Land Use Goal #2 (LU#2) that promotes the development of Downtown as a collection of mixed-use neighborhoods. Other important aspects of the Downtown CAP include Urban Design, Mobility, Arts and Culture, Economic Vitality and Public Services and Facilities. The applicant has provided a detailed analysis of the project's merits as it relates to each of the elements of the Downtown CAP and it has been provided as Attachment #4.

### Planned Block Development Overlay District Criteria

The purpose of the Planned Block Development Overlay District (PBD) is to capitalize on additional opportunities at larger scale development by providing flexibility in certain land use and development standards such as building setbacks, building stepbacks, building spacing and building design standards. The Planning Commission shall recommend, and the City Council shall consider for adoption, an amendment creating a PBD overlay district only after making the following findings have been made:

1. *That the development plan is consistent with the adopted downtown plan and other applicable policies, and that it is compatible with development in the area it will directly affect.*

**Generally, the proposed development plan is consistent with the adopted Downtown Character Area Plan and other applicable policies. In addition, through the use of increase buffers and Amended Site Development Standards (ASDS) the proposed development plan is compatible with surrounding developments and future development in Downtown.**

2. *That the development plan contributes additionally, beyond the underlying regulations, to the urban design objectives articulated for downtown, and that deviations from the regulations that otherwise would apply are justified by compensating benefits of the development plan.*

**The development plan continues to contribute, beyond the underlying regulations, to the urban design objectives articulated for Downtown. Additionally, the development plan continues to be sensitive to surrounding residential neighborhoods by providing an additional building setback from the south property line, and greater building setbacks along N. 68<sup>th</sup> Street to further reduce the impact to existing neighborhoods to the west.**

3. *That the development plan includes adequate provisions for utilities, services, and emergency vehicle access, and, if warranted, connections between underground parking facilities.*

**All affected city departments have reviewed the application and have determined that adequate provisions for utilities, services, and emergency vehicle access have been incorporated into the amended development plan. There are currently no existing underground parking facilities in the near vicinity of the site and, therefore, staff has determined that connections between underground parking facilities are not warranted.**

4. *That projected traffic generated by the development plan will not exceed the capacity of affected streets.*

**The Transportation Department has reviewed the applicant's traffic analysis and has concluded that the amended development plan will not negatively impact capacity of affected streets. Additional information is provided below under the Traffic heading.**

5. *That the development plan will not significantly increase solar shading of adjacent land in comparison with the development under prevailing regulations.*

**Given the development plan's proposed setbacks and setbacks from adjacent property, it is not anticipated the amended development plan will significantly increase solar shading of adjacent land in comparison with the development under prevailing regulations.**

#### Downtown Overlay Analysis

The amended project continues to align with the goals and purposes of the Downtown Overlay by creating a new mixed-use project in the Downtown, with an emphasis on providing new mixed-use development opportunities and potential new residents. In addition, the project incorporates features such as public open space and a mixture of land uses that help keep Downtown day and night. Finally, the project's location near the northwestern boundary of the Downtown area, as defined by the Downtown CAP, further support the site's inclusion in the Downtown Overlay.

#### **Downtown Infill Incentive Plan Analysis**

The Downtown Infill Incentive District's Infill Incentive Plan allows modifications to the Site Development Standards which are not allowed to be modified by through the use of a Planned Block Development in the Downtown District. Those standards include building height, density and the floor area ratio (FAR). The Goals and Objective of the Downtown Infill Incentive Plan (DIIP) provide the criteria for amending these standards. The most significant Goals and Objectives to this application are, Goal 1 with Objective 1.1, which relates to encouraging infill development on vacant

parcels in the Downtown, and Goal 2 with Objective 2.3, which relates to incorporating contextually appropriate transitions to established development outside of Downtown. The application addresses these Goals and Objectives, which are indicated throughout the various discussion sections of the report.

#### Amended Site Development Standards Analysis

To accommodate additional flexibility in design of the site and develop a mixed-use development, the applicant is requesting to amend portions of the Site Development Standards of the Downtown (D) zoning district. In accordance with the Zoning Ordinance, the Development Review Board shall make a recommendation to the City Council pertaining to the applicant's proposed Amended Site Development Standards (ASDS), as well as the proposed site plan and building elevations.

The Site Development Standards of the Downtown zoning district were established to assure that developments maintain an appropriate relationship within the established urban fabric of the Downtown area, as well maintaining appropriate buffers to areas adjacent to the Downtown. For larger developments, the Planned Block Development (PBD) provisions and the Downtown Infill Incentive Plan (DIIP) allow modification of the development standards in order to provide flexibility in the design of a proposed development. The applicant is requesting to use the provisions of the DIIP to modify portions of the Site Development Standards. Generally, large-scale developments in the Downtown that have a site area exceeding 100,000 square feet, including office buildings, large-scale residential developments, shopping malls, and mixed-use developments, have, in the past, amended the Site Development Standards. The applicant's legislative changes to the proposed ASDS are included as Attachment #13. The proposed ASDS and their related additional regulations are:

- Residential/hotel FAR bonus maximum;
- Total maximum FAR (including residential but excluding right-of-way credit);
- Bonused Height Maximums – Planned block development (all uses) – 200,000 sq. ft. minimum parcel;
- Large Walls – Vertical dimension maximum;
- Building Envelope;
- Section 5.3062.L. – Additional regulations – maximum density; and
- Section 5.3063.C. – Exceptions to height limits.

Development Requirement	Required/Allowed Standard	Previously Approved Standard	Proposed Standard
<i>Residential/hotel FAR bonus maximum</i>	0.4	No Change	0.78
<i>Total maximum FAR (including residential but excluding right-of-way credit)</i>	1.8	No Change	2.18
<i>Bonus Height Maximums – Planned block development (all uses) – 200,000 sq. ft. minimum</i>	65 feet (not more than 5 levels)	No change	129 feet (inclusive of roof top mechanical and/or apparatus; not more than 11 levels) 129 foot

			maximum height shall only be permitted for one (1) of the five (5) buildings on site
<i>Large Walls – Vertical dimension maximum</i>	38 feet without additional setback	65 feet without additional setback	129 feet without additional setback
<i>Building Envelope</i>	1:1 up to a height of 38 feet, 2:1 thereafter on all sides of a property	No Change	1:1 up to a height of 38 feet, 2:1 thereafter on the east, south and west sides of a property, and 4:1 thereafter on the north side of a property
<i>Section 5.3062.L. – Additional regulations – maximum density</i>	50 dwelling units per gross acre	No Change	80 dwelling units per gross acre
<i>Section 5.3063.C. – Exceptions to height limits</i>	Allows various elements to exceed maximum building height	No Change	Clarify that there are no exceptions to maximum building height permitted

### ***Residential/hotel FAR bonus maximum***

When the Downtown District was initially adopted, the intent of the Residential/hotel FAR bonus was explained to the Planning Commission as a way to, “Encourage evening activity and safety by creating intensity and height incentives for residential uses.” This statement was reaffirmed during public outreach for the Downtown Plan update (2009). Downtown Plan Policy LU 1.2 states, “Maintain Downtown as a year-round, 24-hour highly functional mixed use center....” In addition, Downtown Plan Policy LU 2.1 encourages the accommodation of “...higher density housing combined with complementary office or retail uses, and accommodate vertical mixed-use structures.” Finally, Downtown Policy LU 2.7 states that the greatest intensity of Downtown development may be accommodated in the Regional Urban Neighborhood, within which the site is located. The applicant is proposing to several community benefits as consideration for their proposed increased in FAR including voluntary participation in the city’s recently adopted International Green Construction Code (IGCC) and a monetary contribution of \$250,000 to be used for future Downtown improvements.

Unlike other districts that allow multiple-family residential, including properties zoned with the Downtown Overlay without the Downtown District as the underlying district, the Downtown District includes the floor area of the residential unit towards a project’s FAR. Traditionally, in the planning profession and most cities around the state, country, and including the Scottsdale zoning ordinance, residential floor area is not factored into the project’s overall FAR requirement within multiple-

family residential and mixed-use developments. The applicant's proposed FAR increase is consistent with other similar projects in the Downtown, including recently approved residential and mixed-use projects in the area.

***Total maximum FAR (including residential but excluding right-of-way credit)***

In line with the applicant's request for an increase of FAR for the Residential/hotel FAR bonus maximum development standard, the applicant is also requesting a matching increase in the Total maximum FAR requirement. The applicant's justification and analysis for the Residential/hotel FAR bonus maximum applies equally to this requested Amended Site Development Standard.

***Bonused Height Maximums – Planned block development (all uses) – 200,000 sq. ft. minimum parcel***

The intent behind limiting building height and the number of levels (stories) for buildings in the Downtown is to establish a relatively low-scale for new development on smaller parcels in the Type 1 areas, and smaller properties in the Type 2 areas of the Downtown. Larger properties in Type 2 area are allowed additional building height and floor levels through the use of bonuses.

Throughout the discussions with the Downtown Task Force, as it relates to building heights, the Task Force was supportive of removing the maximum number of floors outside of Old Town in order to allow flexibility in building design. In addition, the Downtown Task Force recommended to the City Council, that for the Downtown Regional urban neighborhood, a building height maximum should be one-hundred fifty (150) feet, inclusive of roof top apparatus. The applicant is proposing to increase the overall building height to 129 feet for one building of the project, the center building that fronts N. Camelback Road. The proposed height and number stories is consistent with the building height of the Downtown Infill Incentive Plan for the Downtown Regional area and the Downtown Task Force recommendations.

The applicant has also proposed to increase the building setback along N. Camelback Road and relative to the most sensitive uses that are adjacent to the site, which are the existing single-family residential units to the south of the site. To accomplish this, the applicant has located the tallest building on the site so that it is the farthest away from the existing single-family residential homes to the south, by pushing the building close to the building setback line along N. Camelback Road. These design changes effectively push the taller portions of the building more than 100 feet farther away from the existing residential development than is currently required.

Finally, in addition to the proposed design changes provided by the applicant in consideration of the additional building height, the applicant is also proposing to volunteer to be the pilot project for the City of Scottsdale's newly adopted International Green Construction Code (IGCC). Beyond this the applicant is also proposing to make a monetary contribution of \$250,000 to be used by the city for improvements in the Downtown.

***Large Walls – Vertical dimension maximum***

The general intent of the large walls, vertical dimension maximum Site Development Standard is to discourage the use of high, flat, vertical walls at the building setback, and to avoid a canyon effect adjacent to the street. This is accomplished by requiring upper floor walls to step back a further distance beyond that required for the building setback.



The applicant is requesting to basically to strike this Site Development Standard in order to accommodate a vertically-stacked courtyard home concept for the site. The applicant argues that this code provision restricts all new building design in the Downtown to ziggurat-type structures. The proposed design of the buildings for the site creates terraces for each unit at each level that may setback, or extend farther out, than the terrace above or below that unit. This creates a building façade that undulates as it rises in elevation. The applicant argues that this creates a dynamic, vibrant composition of shades and deep shadows with the landscaped terraces becoming a living vertical garden.

While the proposed buildings on the site will not meet the Zoning Ordinance's requirement by stepping back upper portions of the building as height increases, the intent of the provision will be met. The buildings are setback farther than required, thus placing the upper levels of the buildings at positions near to where they would be if the buildings were built at the setback line and stepped back at upper levels.

***Building Envelope***

The general intent of the Building Envelope development standard is to discourage the use of high (tall), flat, vertical walls at the building setback, and to avoid a canyon effect adjacent to the street and developments that are not within the overall development area. This is accomplished by requiring the walls of the upper stories to step back a farther distance beyond that required for the building setback.

Similar to the Large Walls development standards, the applicant is requesting to amend this Site Development Standard in order to accommodate a vertically-stacked courtyard home concept for the site. The applicant argues that this code provision restricts all new building design in the Downtown to ziggurat-type structures. The proposed design of the buildings for the site creates terraces for each unit at each level that may setback, or extend further out, than the terrace above or below that unit. This creates a building façade that undulates as it rises in elevation. The applicant argues that this creates a dynamic, vibrant composition of shades and deep shadows with the landscaped terraces becoming a living vertical garden.

To address this amended Site Development Standard the applicant states that "the buildings were designed such that at grade level there is an additional setback of approximately forty feet to provide better relief and an additional landscape buffer from the street." In addition, the applicant states that the project is seeking relief from the development standard for only one of the five buildings on the site, the northern most building where the additional building height is being requested. This building is located the farthest from existing homes in an adjacent R-1 district and the building was located after conversation with neighbors to reduce the impact on surrounding residential communities.

***Section 5.3061.L. – Additional regulations – maximum density***

The applicant is requesting an increase in the maximum allowable density for the site from 50 dwelling units per gross acre to 80 dwelling units per gross acre. The applicant states that the increase in residential density is justified by several goals of the 2001 General Plan including the vision statement of the Economic Vitality Element, which reads in part: "Scottsdale's future as a desirable place to live, work, and visit is dependent upon a dynamic, diversified, and growing economic base that compliments the character of the community." The Housing Element vision

statement goes on to state that: "Housing options will include a wide range of opportunities for people living and working in Scottsdale, people at different life stages, income levels, and social and physical needs."

The applicant states that their proposal directly addresses these goals by providing a variety of unit sizes and unit types in the heart of Scottsdale's commercial center with pedestrian-friendly connections to the amenities offered therein. The applicant goes on to state that the General Plan Growth Areas Element states that: "Growth areas are intended to discourage sprawl by focusing new development into targeted areas that are most appropriate for integrating open spaces, natural resources, accommodating a variety of land uses, and oriented to multi-modal (transit, pedestrian, bicycling, as well as autos, etc.) activity. Further, it establishes as a goal "Direct and sustain growth and expansion in areas of the city that can support a concentration of a variety of uses and are particularly suitable for multimodal transportation and infrastructure expansion and improvements." The applicant states that Optima Sonoran Village's downtown location successfully meets all of these visions and goals for and is, therefore, appropriate for an increase in density.

#### **Section 5.3063.C. – Exceptions to height limits**

This provision in the Downtown ordinance provides exceptions for specific items such as elevator bulkheads, towers, spires, chimneys, flag poles, and utility penthouses to exceed the maximum building height. The applicant is seeking to modify the language of the section to clarify that no exceptions to the maximum building height will be permitted. During discussion of proposed modifications to the Downtown Plan as part of the Downtown Plan update in 2009, the Downtown Task Force discussed, among other things, building height in the Downtown. While the Downtown Task Force encouraged flexibility to increase overall building height in the Downtown, they also sought to simplify how building height was measured and to specifically eliminate exceptions to the maximum building height, as outlined in the Downtown ordinance. The applicant's proposed amendment would align their proposal with the recommendations of the Downtown Task Force.

#### **Previous Amended Site Development Standards**

The applicant had previously received approval for amendment of several Site Development Standards with their original rezoning application for the site in 2010 (case #1-ZN-2010). The proposed Amended Site Development Standards listed above are in addition to, or modification of, those previously-approved Amended Site Development Standards listed below.

Development Requirement	Required/Allowed Standard	Amended Standard
<i>Maximum number of levels</i>	Not more than 5 levels (stories)	Delete standard
<i>Building Lines</i>	Minimum 25% of front building face below 26 feet built at front setback line	Delete standard
<i>Building Size Maximum</i>	350 feet any side, 550 feet any two adjacent sides; above 38-foot elevation, 200 feet maximum	495 feet any side, 610 feet any two adjacent sides; above 38-foot elevation 495 feet maximum

<i>Spacing Between Buildings Minimum</i>	10% of two longest sides	10 feet
<i>Large Walls – Vertical dimension maximum</i>	Maximum 38 feet without additional setback	Maximum 65 feet without additional setback
<i>Interior side walls, vertical dimension maximum</i>	Maximum 38 feet without an offset of 10 feet or more	Changed exception square footage to 200,000 square feet
<i>Minimum setback from Camelback Road</i>	40 feet building setback from Camelback Road	Delete standard; front setback defaults to standard 20-foot requirement
<i>Minimum mature tree planting</i>	One mature tree for every 400 square feet of landscape area	One mature tree for every 900 square feet of landscape area
<i>Minimum mechanical screening setback</i>	Mechanical equipment must be setback 10 feet from the building edge	Mechanical equipment must be setback 10 feet from the furthest building edge
<i>Maximum building height adjacent to R-1 zoning</i>	Building height cannot exceed 38 feet within 300 feet of an R-1 district	Building height cannot exceed 38 feet within 141 feet of an R-1 district

### Traffic

The proposed change in development plan is estimated to increase the daily trip generation for the site by 392 additional trips, with 37 additional trips in the a.m. peak hour and 17 additional trips in the p.m. peak hour. These increases are not expected to change the future traffic conditions that were analyzed as part of the previous development approval. There are no changes to site access associated with the proposed modifications to the development plan.

### Parking

The proposed Development Plan requires a total of 1,150 parking spaces. The Development plan is providing a total of 1,180 parking spaces. All parking for the site will be provided in two levels of underground parking garage. Access to the underground parking garage is provided at both site access points. A majority of the parking for the site's commercial/retail uses will be provided on the first level of the underground garage.

### Water/Sewer

The City's Water Resources Department has reviewed the applications and finds that there are adequate water and wastewater services to serve the proposed changes to the applicant's Development Plan. The applicant will be required to remove or reroute any unused water lines and relocate existing fire hydrants that run through the site.

### Public Safety

The City's public safety departments have reviewed the applications and finds that there is adequate ability to provide fire and police services. The applicant has made allowances on the site plan to provide adequate staging areas for fire access to the site, including staging areas on E. Camelback Road, N. 68<sup>th</sup> Street and at the northern terminus of N. 69<sup>th</sup> Street at the southeast corner of the site.

### **Open Space**

The site is not required to provide common open space due to its location within the boundaries of the Downtown. However, the Development Plan has been designed to provide over six (6) acres of common open space on the site, a portion of which will be dedicated public open space. A large landscape buffer has also been provided between the existing single-family residential units to the south and the building furthest south on the site.

In addition, the project is required to have a private outdoor living space provided adjacent to each residential unit. The proposed Development Plan exceeds the minimum requirement at each unit.

### **Community Involvement**

The applicant has notified all property owners within 750 feet of the site and held an open house to discuss the proposed changes to the project with interested parties. The applicant has submitted a Citizen Involvement Report summarizing their efforts, which is provided as Attachment #8.

City staff also notified property owners within 750 feet of the subject property. Staff has received one phone call in opposition to the applicant's requests with concerns related to the proposed additional height on the site. Additionally, staff has received a written inquiry requesting information about the approved and provided building setbacks.

### **Community Impact**

The proposed revisions to the Optima Sonoran Village Development Plan will add an additional 46 feet to the northern most building on the site as well as an additional 288 units to the site. The proposed additional height is located on a portion of the site that is the farthest away from existing single-family residential units and adjacent to a heavily-used transportation corridor in the city, helping to reduce impact on existing neighboring properties. There are no anticipated service impacts as a result of the applicant's revised Development Plan.

## **OTHER BOARDS & COMMISSIONS**

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### **Development Review Board**

At their March 15, 2012, hearing the Development Review Board voted 6-0 to recommend approval of the applicant's proposed Amended Site Development Standards and revised Development Plan to the City Council. The Board members expressed support for both the zoning map amendment and the amended development standards, proposed as part of the Infill Incentive District. Comments centered primarily on the design of the proposed building, and the relationship of the taller building to the residential parcels to the south.

### **Planning Commission**

At their April 11, 2012 hearing, the Planning Commission approved the applicant's request to continue these cases to the April 25, 2012 hearing. Prior to approving the request for continuance, residents in attendance that filled out comment cards were allowed to speak. Those that spoke expressed concern over the lack of neighborhood outreach, the increase in density, design and character of the project, and building height. Additionally, there were concerns expressed over traffic and the potential for increased noise and lighting impacts on the surrounding neighborhood.

Planning Commission heard this case on April 25, 2012 and found that the development plan meets the Planned Block Development criteria, the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, and finding that the goals and policies of the Downtown Infill Incentive District have been demonstrated and they recommended approval, subject to the attached stipulations with a vote of 5-0.

### **Staff Recommendation to Planning Commission**

Find that the Planned Block Development criteria have been met, determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, find that the goals and policies of the Downtown Infill Incentive District have been demonstrated, and recommend that City Council approve a zoning district map amendment, including a Development Plan, and approve a Downtown Infill Incentive District application, including Amended Site Development Standards, on a 9.87 +/- acre site located at 6801 E. Camelback Road with Downtown Regional Commercial Office, Type 2, Planned Block Development, Downtown Overlay (D/RCO-2 PBD DO) zoning.

## **STAFF RECOMMENDATION**

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### **Recommended Approach:**

1. Adopt Ordinance No. 4015 affirming a zoning district map amendment, including a Development Plan and Amended Site Development Standards, and approving a Downtown Infill Incentive District application, finding that the Planned Block Development criteria have been met, the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, finding that the goals and policies of the Downtown Infill Incentive District have been demonstrated on a 9.87 +/- acre site located at 6801 E. Camelback Road with Downtown Regional Commercial Office, Type 2, Planned Block Development, Downtown Overlay (D/RCO-2 PBD DO) zoning.
2. Adopt Resolution No. 9061 declaring "Optima Sonoran Village Development Plan Including Development Standards" as public record.

## **RESPONSIBLE DEPARTMENT**

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### **Planning, Neighborhood and Transportation**

Current Planning Services

## **STAFF CONTACTS**

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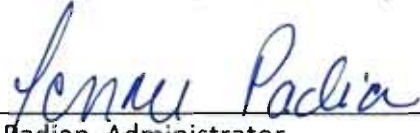
**APPROVED BY**

  
Greg Bloembergen, Report Author

5-7-12  
Date

  
Tim Curtis, ALDP, Current Planning Director  
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5/2/2012  
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Connie Padian, Administrator  
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480-312-2664, cpadian@scottsdaleaz.gov

5/7/12  
Date

**ATTACHMENTS**

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1. Ordinance No. 4015  
Exhibit 1. Stipulations  
Exhibit 2. Zoning Map
2. Resolution No. 9061
3. Special Improvement Correspondence for Phase I (dated 12/7/2011)
4. Applicant's Narrative
5. Context Aerial
- 5A. Aerial Close-Up
6. General Plan Map
7. Citizen Involvement Report
8. City Notification Map
9. March 15, 2012 Development Review Board Minutes and Comment Cards
10. April 25, 2012 Planning Commission Minutes

Development Plans

11. Amended Site Development Standards
12. Amended Site Development Standards Justification
13. Site Plan
14. Context Aerial Site Plan
15. Building Elevations
16. Perspective
17. Building Massing Plan
18. Site Cross Sections
19. Landscape Plan

ORDINANCE NO. 4015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF AMENDING THE PRIOR ZONING CASE STIPULATIONS AND APPROVING A DEVELOPMENT PLAN AND AMENDMENTS TO SITE DEVELOPMENT STANDARDS OF THE ZONING ORDINANCE INCLUDING: 1) RESIDENTIAL/HOTEL FAR BONUS MAXIMUM (NOT TO EXCEED 0.78); 2) TOTAL MAXIMUM FAR (NOT TO EXCEED 2.18); 3) BONUS HEIGHT MAXIMUMS (NOT TO EXCEED 129 FEET); 4) LARGE WALLS - VERTICAL DIMENSION MAXIMUM (PROVISION DELETED); 5) BUILDING ENVELOPE; AND 6) MAXIMUM DENSITY (NOT TO EXCEED 80 DU/ACRE) AND FURTHER APPROVING AN APPLICATION FOR A DOWNTOWN INFILL INCENTIVE DISTRICT PURSUANT TO THE DOWNTOWN INFILL INCENTIVE PLAN FOR A 9.87 +/- ACRE PARCEL IN CASE 1-ZN-2010#2 AND 2-II-2012 LOCATED AT 6801 E. CAMELBACK ROAD WITH DOWNTOWN REGIONAL COMMERCIAL OFFICE - TYPE 2, PLANNED BLOCK DEVELOPMENT, DOWNTOWN OVERLAY (D/RCO-2 PBD DO) ZONING.

WHEREAS, the Development Review Board held a public meeting on March 15, 2012 and made the required recommendations; and

WHEREAS, the Planning Commission held a public hearing on April 25, 2012 and made the required recommendations; and

WHEREAS, the City Council held a hearing on May 22, 2012; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, the City Council finds that the proposed development is in the Downtown Infill Incentive District and consistent with the Downtown Infill Incentive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended on a 9.87 +/- acre parcel located 6801 E. Camelback Road, marked as "Site" (the Property) on the map attached as Exhibit 2, with Downtown Regional Commercial Office - Type 2, Planned Block Development, Downtown Overlay (D/RCO-2 PBD DO) by: 1) approving Case No. 1-ZN-2010#2 and amending the prior zoning case stipulations, approving a Development Plan, and approving amendments to Site Development Standards of the Zoning Ordinance including: 1) Residential/hotel FAR bonus maximum (not to exceed 0.78); 2) Total maximum FAR (not to exceed 2.18); 3) Bonus Height Maximums (not to exceed 129 feet); 4) Large Walls - Vertical dimension maximum (provision deleted); 5) Building Envelope; and 6) Maximum density (not to exceed 80 du/acre

and 2) further approving and adopting Case No. 2-II-2012, an application for a Downtown Infill Incentive District Application in the Downtown Infill Incentive District pursuant to the Downtown Infill Incentive Plan, by adopting that certain document entitled "Optima Sonoran Village Development Plan Including Development Standards," declared a public record by Resolution No. 9061, which is incorporated into this ordinance by reference as if fully set forth herein.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this \_\_\_\_\_ day of May, 2012.

ATTEST:

CITY OF SCOTTSDALE, an Arizona  
Municipal Corporation

By: \_\_\_\_\_  
Carolyn Jagger  
City Clerk

By: \_\_\_\_\_  
W.J. "Jim" Lane  
Mayor

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

\_\_\_\_\_  
Bruce Washburn, City Attorney  
By:



## **Stipulations for the Zoning Application:**

### **Optima Sonoran Village**

**Case Number: 1-ZN-2010#2 & 1-II-2012**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

Revised stipulations from case 1-ZN-2010 are shown below in strikethrough and bold print. Stipulations revised after the 4/25/12 Planning Commission hearing shown below in bold capital letters.

#### **SITE DESIGN**

1. CONFORMANCE TO ~~CONCEPTUAL SITE DEVELOPMENT PLAN~~. Development shall SUBSTANTIALLY conform with the ~~conceptual site plan submitted by David Hovey and Associates, Inc. with a staff date of 6/1/2010 1/25/2012, attached as Exhibit B to Exhibit 1.~~ **DEVELOPMENT PLAN, ENTITLED "OPTIMA SONORAN VILLAGE DEVELOPMENT PLAN, INCLUDING AMENDED DEVELOPMENT STANDARDS," WHICH IS ON FILE WITH THE CITY CLERK AND MADE A PUBLIC RECORD BY RESOLUTION NO. 9061, AND INCORPORATED INTO THESE STIPULATIONS AND ORDINANCE BY REFERENCE AS FULLY SET FORTH HEREIN.** Any proposed significant change to the ~~conceptual site plan~~ **DEVELOPMENT PLAN**, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform to the amended development standards ~~as shown in the table entitled "Amended Site Development Standards", attached as Exhibit B to Exhibit 1.~~ **INCLUDED AS PART OF THE DEVELOPMENT PLAN.** Any change to the amended site development standards shall be subject to additional public hearings before the Planning Commission and City Council.
3. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed twenty-eight (28) feet in height, measured as provided in the applicable section of the Zoning Ordinance, within sixty-three (63) feet of the south property line. No building shall exceed thirty-eight (38) feet in height, measured as provided in the applicable section of the Zoning Ordinance, within one hundred forty-one (141) feet of the south property line.
4. BUILDING SETBACK. No building shall be located closer than forty-three (43) feet to the southern property line.
5. CULTURAL IMPROVEMENT PROGRAM. The owner shall install and maintain original works of art costing a minimum of one (1) percent of the commercial building valuation in accordance with the Zoning Ordinance and the art in public places program. The owner shall submit a detailed Cultural Improvement Program with the Development Review Board submittal identify specific locations and art pieces to be placed on site to satisfy these requirements.
6. SPECIAL PUBLIC IMPROVEMENTS. With ~~the each~~ **each** Development Review Board submittal, the owner shall submit a Special Public Improvements master plan identifying specific public improvements to be built by the owner and specific cost estimates for each

improvement. **The total contribution is determined to be \$3.2 million, BASED ON THE FOLLOWING IMPROVEMENTS PROPOSED BY THE DEVELOPER:**

- **UNDERGROUNDING OF OVERHEAD POWER LINES ALONG THE SOUTH SIDE OF THE PROJECT SITE**
  - **RE-VEGETATION OF THE ABANDONED ALLEY AREA ALONG THE SOUTH SIDE OF THE PROJECT SITE**
  - **A PUBLIC PARK/PLAZA AREA AT THE NORTHWEST CORNER OF THE PROJECT SITE, ADJACENT TO THE SOUTHEAST CORNER OF 68<sup>TH</sup> STREET AND CAMELBACK ROAD**
7. **SPECIAL COMMUNITY BENEFITS.** Prior to issuance of building permits, the owner shall demonstrate this project is in compliance with the International Green Construction Code (IGCC) and provide a monetary contribution **TOWARD THE CITY'S TRANSPORTATION FUND** ~~not to exceed OF \$250,000 to the City for~~ **REIMBURSEMENT OF COSTS ASSOCIATED WITH THE FOLLOWING downtown improvements:**
- **CIP PROJECT #T0801, "DOWNTOWN PEDESTRIAN IMPROVEMENTS", AS IDENTIFIED IN THE FY 2011/12 BUDGET, SPECIFICALLY FOR GOLDWATER BLVD, AND/OR**
  - **CIP PROJECT #S1102, "ARIZONA CANAL – 64<sup>TH</sup> STREET TO GOLDWATER BLVD.", AS IDENTIFIED IN THE FY 2011/12 BUDGET, AND/OR**
8. **OUTDOOR LIGHTING.** The maximum height of any outdoor lighting source, except any light sources for patios and/or balconies, shall be twenty (20) feet above the adjacent finished grade.
9. **OUTDOOR LIGHTING FOR PATIOS AND BALCONIES.** Light sources that are utilized to illuminate patios and/or balconies that are above twenty (20) feet shall be subject to the approval of the Development Review Board.
10. **PERMANENT BARRIER PROVISION.** The owner shall provide and maintain a permanent barrier, including gate(s) for emergency vehicles and equipment as required, at the northern terminus of 69<sup>th</sup> Street near the southeast corner of the site to restrict **VEHICULAR AND PEDESTRIAN** access from the subject site onto 69<sup>th</sup> Street.

#### **INFRASTRUCTURE AND DEDICATIONS**

11. **CIRCULATION IMPROVEMENTS.** Before any certificate of occupancy is issued for the site, the owner shall make the required dedications and provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.
- a. **STREETS.** Dedicate the following right-of-way and construct the following street improvements:

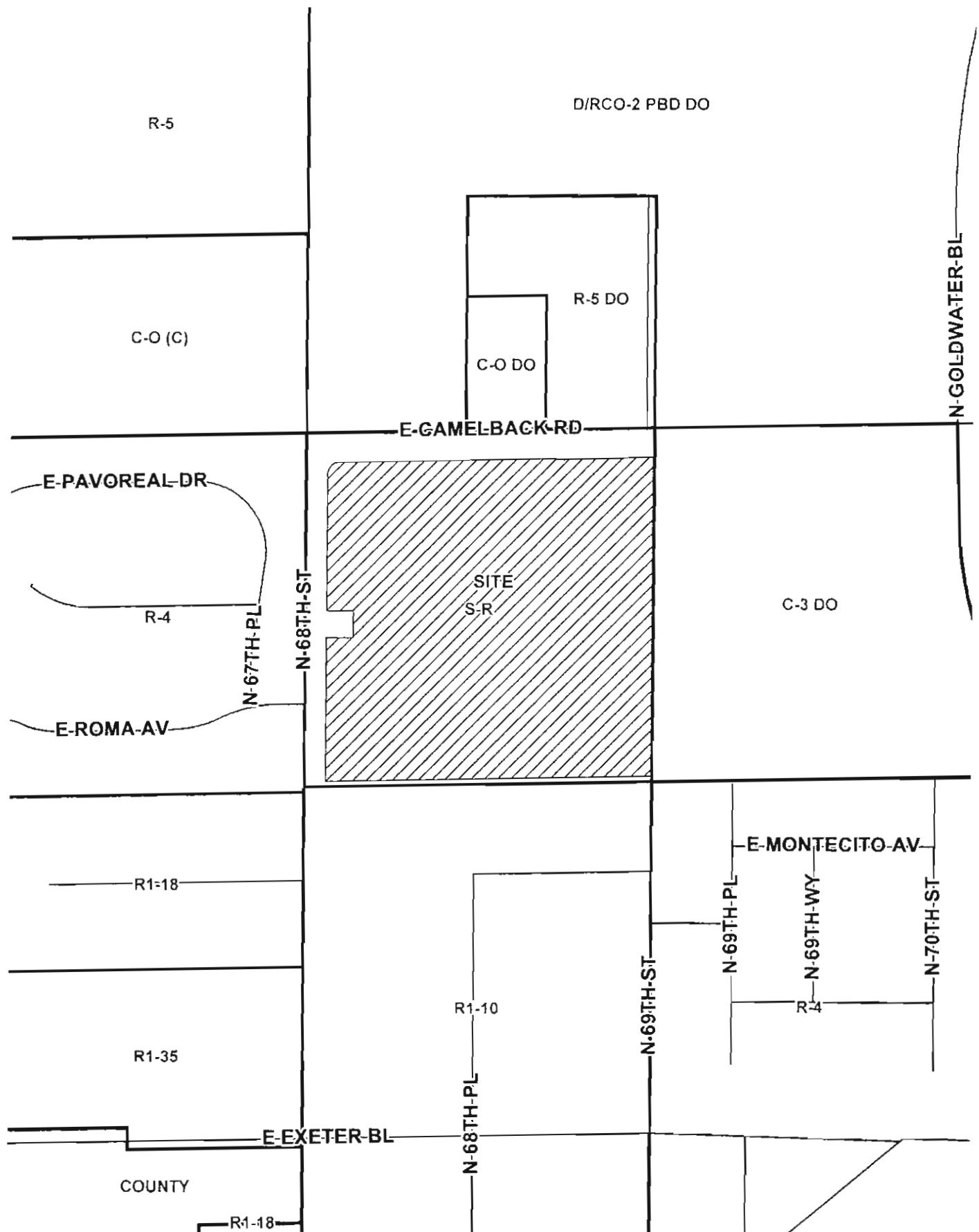
Street Name	Street Type	Dedications	Improvements	Notes
Camelback Road	Minor Arterial	Additional Right-of-way or roadway easement , transit	10-foot wide sidewalk, 2 deceleration lanes, 2 fire	a.1., a.2., a.3., a.4., a.5.

68 <sup>th</sup> Street	Minor Collector	stop easement  Additional right-of-way or roadway easement	access pads, Transit stop  8-foot wide sidewalk, a deceleration lane	a.4., a.6., a.7.
Public Alley (to be abandoned)	Alley	Public Utility Easement		a.5

- a.1. The owner shall construct a deceleration lane with Scottsdale Fire Department access pad at the entrance to the site on Camelback Road.
  - a.2. A transit stop shall be provided west of the entrance on Camelback Road, east of the intersection of 68<sup>th</sup> Street. If a "drop off" area is to be provided along E. Camelback Road, it shall require further review and approval by City Transportation Department staff prior to Development Review Board approval.
  - a.3. The owner shall provide a ten (10) foot wide sidewalk located at the back of curb along site frontage at Camelback Road.
  - a.4. The owner shall dedicate to the City of Scottsdale, right-of-way or roadway easement along Camelback Road and 68<sup>th</sup> Street over the public sidewalk, deceleration lanes and Scottsdale Fire Department access pads. A transit stop easement shall be dedicated to include the transit shelter and pad.
  - a.5. The owner shall provide at the time of Development Review Board submittal a plan to repave, or otherwise treat as approved by the Development Review Board, the alley south of the site.
  - a.6. The owner shall construct a deceleration lane at the entrance to the site on 68<sup>th</sup> Street. The length of the deceleration lane may be shortened in order to minimize the impact to the adjacent property to the south.
  - a.7. The owner shall provide an 8-foot wide sidewalk along site frontage at 68<sup>th</sup> Street. The sidewalk shall be separated from the back of curb with a five (5) foot minimum separation.
  - b. VEHICLE NON-ACCESS EASEMENT. Dedicate a one foot wide vehicular non-access easement on N. 68<sup>th</sup> Street and E. Camelback Road except at the approved street entrance(s).
  - c. AUXILIARY LANE. Dedicate the necessary right-of-way, as determined by city staff, and construct right-turn deceleration lanes at 68<sup>th</sup> Street and Camelback Road and at all site entrances.
12. TRANSIT FACILITIES. Before any certificate of occupancy is issued for the site, the owner shall construct a bus bay and stop facilities (landscaping, bench, trash can and a bike rack) on Camelback Road, east of 68<sup>th</sup> Street as shown on the submitted site plan with the city staff date of 06/01/2010. The shelter shall be located behind the sidewalk. The owner may use

City of Scottsdale Standards for the design of transit improvements or submit a design that reflects the architecture of the site. Transit design shall be reviewed and approved by City of Scottsdale Transportation Engineering staff.

13. ACCESS RESTRICTIONS. Access to the site shall conform to the following restrictions (distances are measured to the driveway or street centerlines):
  - a. There shall be a maximum of two site driveways, one from Camelback Road and the other from 68<sup>th</sup> Street, with a minimum of 330 feet between the driveway(s) and street intersection(s).



# 1-ZN-2010 #2

RESOLUTION NO. 9061

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "OPTIMA SONORAN VILLAGE DEVELOPMENT PLAN INCLUDING DEVELOPMENT STANDARDS."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Optima Sonoran Village Development Plan Including Development Standards," three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this \_\_\_\_ day of May, 2012.

ATTEST:

CITY OF SCOTTSDALE, an  
Arizona municipal corporation

By: \_\_\_\_\_  
Carolyn Jagger, City Clerk

By: \_\_\_\_\_  
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

\_\_\_\_\_  
Bruce Washburn, City Attorney  
By:



December 7th, 2011

Brad Carr, AICP  
Senior Planner  
Planning & Development Services  
7447 E. Indian School Rd., Ste. 105  
Scottsdale, AZ 85251

Re: Optima Sonoran Village, 6895 E. Camelback Road, Scottsdale, AZ  
T:\6130\1F\7-1\0\Submittals\Re-Zoning\Special Improvements Bonus\Phase I SPI Letter\11 12 07 LTR DH PHASE I Special Improvement Bonus.doc

Dear Mr. Carr:

The following list is regarding the value of specific land dedications and construction of improvements to satisfy the 25% required for Phase I per stipulation #6 in the Staff Approval Letter 180-SA-2011 dated 6/2/2011.

Overall Amount Required: \$3,200,000  
Amount required for Phase I: \$800,000 (25% of \$3,200,000)  
Amount Provided: \$871,047.83

1. **Resurfacing of Alley: \$75,000**  
\$75,000 determined by C.O.S. reduced from Optima's actual cost of \$150,000 to resurface the alley south of the site with landscaping.
2. **Overhead Power Line Conversion: \$796,047.83.**  
\$796,047.83 cost to relocate overhead power lines underground in the alley south of the site from 68<sup>th</sup> St. to 69<sup>th</sup> St. This cost also includes the connection from the main power line to each individual house.

**TOTAL VALUE OF SPECIAL PUBLIC IMPROVEMENTS PROVIDED FOR PHASE I: \$871,047.83**

A handwritten signature in black ink, appearing to read "David Hovey Jr." followed by a stylized flourish.

David Hovey Jr. AIA  
Vice President  
Optima DCH Development Inc.

## 14. Project Narrative for Optima Sonoran Village

### I. Current / Proposed Zoning

**Current:** Downtown Regional Commercial Office – Type 2 District, Planned Block Development with Downtown Overlay (D/RCO-2 PBD DO)

**Proposed:** Application to utilize the provisions of the Downtown Infill Incentive District.

### II. Overview

Optima Sonoran Village will be a pedestrian friendly mixed-use multi-family residential project that has taken inspiration from decades of effort by the City to rejuvenate Downtown Scottsdale with multi-family residential developments that incorporate meaningful and appropriate open space, landscaping, pedestrian mobility, access to shopping and entertainment, and provide a variety of architectural styles to stimulate and populate this dynamic area of Scottsdale.

Optima Sonoran Village was granted Downtown Regional Commercial Office – Type 2 District, Planned Block Development with Downtown Overlay (D/RCO-2 PBD DO) zoning in June of 2010. In July 2010 the City Council approved the Downtown Infill Incentive Plan which allows modifications to developments located within the Infill Incentive District. Optima Sonoran Village is located within the boundary of the Infill Incentive District. This request is in response to a change in the market conditions in Downtown Scottsdale and will help to ensure the project's success while at the same time further contributing to the economic vitality, downtown improvements, and sustainability of Downtown Scottsdale.

The approval of this request would allow for the following changes to Optima Sonoran Village:

- 1.0 The reduction of commercial space from 40,000 s.f. to 12,500 s.f.
- 2.0 The increase of height of one building on a small portion of the site (approximately 5% of the gross site area) with an additional 4 stories from 83' to 129' (including mechanical).

The additional height is being added to the building on Camelback Road in consideration of this specific site and existing residential communities.

- 3.0 An increase in the FAR from 1.8 to 2.18, an increase of 11%.  
(An additional 83,300 s.f. from a currently approved 726,700 s.f.)



- 4.0 The increase in the number of units from a maximum of 493 to a maximum of 781. This will allow for the flexibility to adapt to current and future market conditions and for a larger variety of unit sizes to be built. (Optima Camelview Village was originally zoned for 750 units and only 675 units were built because the unit sizes were built in accordance with market conditions)

Optima Sonoran Village will contribute the following to the City of Scottsdale:

- 1.0 Optima Sonoran Village will be the pilot project for the City of Scottsdale's newly adopted International Green Construction Code (IGCC). It will be one of the first projects in the world to be certified under the IGCC, a green construction code that is fully managed by local municipalities. Optima will work with the City and leverage 35 years of experience in development, architecture, and construction to help develop the most appropriate standards for green construction in Scottsdale. The cost for a developer to build a project of this size to green building standards is approximately an additional 6%.

The City of Scottsdale recently adopted the new IGCC with local amendments conducive to the Sonoran Desert and Scottsdale's development standards. It is designed to reduce the adverse environmental impacts associated with development in the areas of heat island mitigation, material resources, energy consumption, water depletion and indoor environmental quality. The IGCC enhances Scottsdale's environmental quality of life for residents, businesses and visitors. It adds economic, environmental and community value while responding to the growing demand for a 21<sup>st</sup> century green lifestyle involving open space, mixed use and pedestrian connectivity. Optima's partnership with the City of Scottsdale in obtaining certification under the IGCC will revolutionize sustainable construction practices.

- 2.0 Optima will make a monetary contribution of \$250,000 to be used at the City's discretion for Downtown improvements. This number was derived by taking 3% of the additional FAR (83,300 s.f.) and attributing a \$100 per s.f. construction price.
- 3.0 An economic impact study completed for Optima Sonoran Village in December 2011 concluded that upon completion of construction, there will be approximately 2,700 permanent new jobs created and the increase in economic output will be approximately \$312 million with an increase in household earnings of \$103 million. Permanent jobs are direct and indirect jobs created from the construction, operation, and maintenance of projects lasting longer than two years. Economic output is defined as the total increase in

production (direct, indirect, and induced) stemming from the construction and operations of the new project. Household earnings are defined as the wages and salaries of labor, plus any income earned by independent proprietors.

- 4.0 Approximately 36,000 s.f. of the northwest corner of the site has been dedicated to the City as public open space.
- 5.0 Optima will participate in the City's Cultural Arts Program.
- 6.0 Optima will remove the overhead power lines and relocate the lines underground in the alley south of the site from 68<sup>th</sup> Street to 69<sup>th</sup> Street and will connect the main power line to each individual house affected by the relocation.
- 7.0 100% of the parking for the project is underground mitigating the heat island effect and bringing more open green space to Downtown Scottsdale.
- 8.0 Optima will provide and maintain a permanent barrier near the southeast corner of the site to restrict access from the development to 69<sup>th</sup> Street and the Whitwood neighborhood.
- 9.0 Optima will construct a deceleration lane with Scottsdale Fire Department access pad at the entrance to the site on Camelback Road.
- 10.0 Optima will install a transit stop west of the main entrance on Camelback Road and east of the intersection of 68<sup>th</sup> Street.
- 11.0 Optima will install a ten foot sidewalk and landscaping located at the back of curb along site frontage at Camelback Road.
- 12.0 Optima will dedicate to the City a right-of-way or roadway easement along Camelback Rd. and 68<sup>th</sup> Street over the public sidewalk, deceleration lanes and Scottsdale Fire Department access pads. A transit stop easement will be dedicated to include the transit shelter and pad.
- 13.0 Optima will remove the asphalt in the alley on the south side of the property and replace with landscaping.
- 14.0 Optima will construct a deceleration lane at the entrance to the site on 68<sup>th</sup> Street.
- 15.0 Optima will provide an eight foot side walk and landscaping along the site frontage at 68<sup>th</sup> Street. The sidewalk will be separated from

the back of the curb with a five foot minimum separation.

The revisions to the project have a very minimal impact on traffic. With the decrease in the commercial space and increase in the number of residential units, there will only be approximately an additional 37 trips occurring during the peak AM hour and 17 additional trips occurring during the peak PM hour.

Optima was founded in 1978 by David C. Hovey, FAIA to purchase land, design, construct, market, sell, and manage residential and mixed use buildings. The guiding principal and business model is based on providing long range solutions for residential and mixed-use development through high quality design and architecture that compliments the established urban and/or suburban community. Careful attention to detail for both design and construction has elevated Optima to one of the nation's premier mixed-use residential developers. Optima has completed construction of and is in the final phase of sales for Optima Camelview Village, the highly acclaimed 675 unit mixed-use project located one block north of Fashion Square Mall on Scottsdale Road. This project was recently awarded the 2009 "Honor Award" from the Arizona American Institute of Architects and the Chicago American Institute of Architects (The AIA's top architecture award), The International Architecture Award (One of the most prestigious internationally recognized architecture awards), and The International Green Good Award (The foremost international award on sustainability). Optima Camelview Village has been the subject of numerous newspaper and magazine articles for excellence in design and urban living since its initial opening in the fall of 2006. David Hovey received a "Proclamation" from The City of Scottsdale in January in recognition of Optima Camelview Village's significant contribution to downtown Scottsdale and for it's achievement in architectural design and environmental sustainability.

### **III. Optima Sonoran Village and the Vision for Downtown Plan**

**Downtown Scottsdale Vision Statement:** *"Downtown Scottsdale is where the new west meets the old west."*

Optima Sonoran Village is a mixed-use, multi-family residential development containing approximately 12,500 square feet of commercial space with all requisite parking spaces for the entire development concealed underground. Buildings are arranged around a grand central courtyard visible and accessible by pedestrians from Camelback Road establishing a dramatic symbolic gateway into Downtown Scottsdale. Optima Sonoran Village represents "the new west" through a 21<sup>st</sup> century approach to mixed-use, multi-family design, construction, and development that harmoniously blends with the culture, natural landscape, neighborhood, businesses, and adds to Downtown's vitality and vibrancy.

**Downtown Scottsdale Vision:** *“Comprised of its unique neighborhoods, Downtown Scottsdale is a dynamic city center which recognizes its western heritage while boldly looking into metropolitan future.”*

Optima Sonoran Village is designed to connect with Downtown through bold visionary design, pedestrian connectivity, natural materials and dramatic landscaped spaces. The development itself comprises a new neighborhood that seeks to sensitively link surrounding neighborhoods with the existing Downtown while creating a dynamic new “front door” to Downtown. Many of the features incorporated into Optima Sonoran Village are similar to elements incorporated into Optima Camelview Village, which was highly successful in fulfilling the intentions of the Downtown Plan. Optima is committed to maintaining its responsiveness to the needs of the Scottsdale community, the neighbors and the local business owners to deliver another project that addresses the vision and values that have been established in the Downtown Plan.

**Value # 1: A diverse collection of vibrant mixed-use urban neighborhoods**

Optima Sonoran Village will become a new mixed-use community in Downtown Scottsdale containing commercial space along the northeastern edge and residential dwellings strategically located on the remainder of the Property sensitively blending with the established residential neighborhoods to the south and the west. The development will be a non-walled, non-gated community encouraging pedestrian access in and through Downtown. Residential units will include studio, one, two and three bedroom units adding to the demographic vitality of the community and Downtown.

**Value # 2: Contextually sensitive world class planning, architecture, and urban design**

Different than the design and planning vernacular of the award winning Optima Camelview Village, Optima Sonoran Village is based upon the concept of vertically stacked courtyard houses in conjunction with grand civic courtyards reminiscent of classical era planning. The private courtyard residences are a unique blend evocative of Sonoran Desert Native American housing with the functionality of southwest indoor/outdoor living.

**Value # 3: Meaningful open space with interconnectivity to every Downtown neighborhood.**

Optima Sonoran Village is designed to be a pedestrian friendly open development encouraging residents, neighbors, and the public to enjoy the pathways throughout the project that connect the residents and neighbors to the Camelback Road commercial corridor. Like Optima

Camelview Village, this “pedestrian relief” is based on the concept of desert sensitive architecture and landscaping providing shade and protection from sun during the harsh summer months.

**Value # 4: Sustainability with sensitivity to our unique desert environment.**

Each dwelling is designed as a dynamic combination of layered interior space expanding uninterrupted into lushly landscaped private terraces. All parking is located underground enabling the buildings to interact fully with the desert climate and reducing the heat island effect. Through technical innovation resulting from extensive design exploration, engineering and a multi-year research collaboration with Arizona State University, Optima Sonoran Village will incorporate Optima’s planting systems. Garden roofs and landscaping promote evaporative cooling, re-oxygenate the air, reduce dust and smog levels, reduce ambient noise, detain storm water and thermally insulate and shield residents from the desert sun, all of which contribute to a more sustainable urban environment.

**Value # 5: A focus on arts and culture**

Optima Sonoran Village will include a public art component as required by the Downtown Ordinance. The development will bring new residents to Downtown that will support and strengthen existing culture institutions, local restaurants, commercial, and retail businesses in Downtown.

**Value # 6: Fluid connectivity in and out of Downtown as well as within and between neighborhoods, focusing on workability.**

The site is located on the southeast corner of Camelback Road and 68<sup>th</sup> Street. The surrounding properties contain residential and commercial properties of varying age, character, and scale. The Whitworth neighborhood located directly to the south is separated from the development by a masonry fence, ten-foot alley and a large and mature oleander hedge. There will be no vehicular or pedestrian connection to Optima Sonoran Village directly to the south; however, pedestrians walking north from the Whitworth Neighborhood along 68<sup>th</sup> Street will have access to the pedestrian walks through the development to the Northeast corner of the property and the Camelback Road sidewalk. Located west across 68<sup>th</sup> Street is Pavoreal, a multi-family residential development. Residents of Pavoreal will also have pedestrian access to walkways through the development, to the Northeast corner of the site and the Camelback Road sidewalk.

**Value # 7: Economic vitality supported by public-private partnership.**

Optima Sonoran Village may contain up to 781 residential units with residents desiring services and activities. These residents will support

restaurants, commercial, and retail establishments located throughout Downtown.

**Value # 8: Worldwide recognition as the premier destination in the United States.**

With over 30 years of experience in architecture, development, construction, real estate sales, and property management, Optima will be developing another nationally recognized project. Optima Sonoran Village will:

- (1) Blend urban and natural desert landscapes to create a dynamic, public, pedestrian friendly environment.
- (2) Integrate local contemporary architectural vernacular with the demands of 21st century residential design.
- (3) Integrate natural sustainable design concepts including green roof design and technology to enhance human experiences and ecological stewardship while providing private landscaped space to every residence.
- (4) Optima Camelview Village was recently awarded the 2009 "Honor Award" from the Arizona American Institute of Architects and the Chicago American Institute of Architects (The AIA's top architecture award), The International Architecture Award (One of the most prestigious internationally recognized architecture awards), and The International Green Good Award (The foremost international award on sustainability).

**IV. Optima Sonoran Village and the Principles of the Downtown Plan**

**Land Use:** *The Downtown land use goals and policies define the functional relationships, land use types and locations, physical form, and development strategy to maintain and enhance Downtown Scottsdale and were designed to assist in the continued transformation of Downtown into a highly efficient mixed use center and complete urban neighborhood community.*

**Land Use Goal 1:** Maintain Downtown Scottsdale as the commercial, cultural, civic, and symbolic center of the community to ensure a vibrant mix of mutually supportive land uses.

The Property is located in the Downtown District and designated by the City of Scottsdale as a Regional Type 2 development site; "suited for larger, higher scale mixed use projects"

Optima Sonoran Village is a mixed-use residential development containing up to a maximum of 781 dwelling units and approximately 12,500 square feet of commercial space. The development will provide housing for additional residents supporting Downtown restaurants, commercial, and retail establishments. The Property is a short walk to Fashion Square Mall and Old Town retail and restaurants allowing homeowners to enjoy the convenience of living in Downtown Scottsdale and contributing to its vitality.

**Land Use Goal 2: Promote the development of Downtown as a collection of mixed use urban neighborhoods.**

Located adjacent to single family homes to the south and two story townhouses to the west, Optima Sonoran Village is designed as a mixed-use residential community with limited commercial space intended for occupancy by users supporting the residences. Commercial uses are located on the northeast corner of the site with the remainder of the Property occupied by residential uses designed to provide a functional buffer between the regional commercial uses of Downtown located to the northeast and the residential urban neighborhoods to the southwest. The project sensitively balances the goal of higher densities in the Downtown with the neighborhoods surrounding Downtown.

**Land Use Goal 3: Continue the use of development types to guide the physical and built form of Downtown Scottsdale.**

The City of Scottsdale designates the Property as a Type-2 development site "suited for larger, higher scale mixed use projects". Optima Sonoran Village is a mixed-use development strategically designed to respect its location on the boundary of the Downtown by incorporating a higher concentration of residential space to commercial space. Furthermore, commercial space and services in the development are located to the northeast adjacent to neighboring intense Downtown commercial properties while residential uses in the development are located on the remainder of the site as a buffer to residential uses to the south and west surrounding the Downtown District.

**Land Use Goal 4: Encourage Downtown land use development flexibility.**

Designed as a pedestrian friendly non-walled, non-gated development, Optima Sonoran Village is intended to celebrate its location as a gateway into the Downtown. Residents of Optima Sonoran Village will support existing Downtown shops, restaurants and entertainment venues while encouraging future development and improvements of the Camelback corridor.

**Land Use Goal 5: Enhance, Expand, and create new downtown public realm and open space areas.**

Optima Sonoran Village is composed of five buildings organized around a grand central courtyard open to Camelback Road through a dramatic, covered entry. This entry invites pedestrians and motorists into the development and visually into Downtown. The design also incorporates lushly landscaped open spaces on the northwest, southwest, south and southeast of the Property. These spaces are interconnected with the central courtyards allowing public pedestrian access along pathways into and through the development. The open space concept in Optima Sonoran Village is much like that of Optima Camelview Village. Grand courtyards open to the public will celebrate the lush urban oasis of landscaping and celebrate the scale of courtyards and open spaces of the classical eras.

**Land Use Goal 6: Promote Diversity in Downtown housing options.**

Optima Sonoran Village will include studio, one, two, and three bedroom units. Similar to Optima Camelview Village, this unit mix provides options for residents at various life stages, incomes and vocations to live in a diverse and sustainable development promoting the vitality and vibrancy of the development and Downtown.

**Land Use Goal 7: Support a mix of land uses that promote a sustainable Downtown.**

Optima Sonoran Village will be a mixed-use development that will provide patrons for Downtown businesses supporting the Downtown commercial, retail, restaurant, entertainment and cultural institutions promoting the economic vitality of the Downtown. In addition to supporting the above land uses the development will incorporate commercial space and open public spaces connected by new and existing pedestrian pathways.



**Character and Design:** The Downtown Plan and its associated Urban Design and Architectural Guidelines provide the framework that guides how individual developments visually and physically work together to form the cohesive fabric of Downtown Scottsdale's identity.

**Character and Design Goal 1:** The design character of any area should be enhanced and strengthened by new development that promotes contextual compatibility.

Optima Sonoran Village is based upon the concept of vertically stacked courtyard houses in conjunction with grand open civic courtyards that are reminiscent of classical era planning. The private courtyard residences blend the environmental sensitivity of Sonoran Desert Native American housing with the functionality of well designed indoor/outdoor southwest living. Materials will be a 21<sup>st</sup> century representation of urban desert structures similar to Optima Camelview Village and will contextually blend with the surrounding neighborhoods and Downtown. The project is intended to:

- (1) Blend urban and natural desert landscapes to create a dynamic, public, pedestrian friendly environment.
- (2) Integrate local contemporary architectural vernacular with 21st century residential design.
- (3) Integrate green roof design and technology to enhance human experiences and ecological stewardship providing landscaped space to every residence.

**Character and Design Goal 2:** Development should sensitively transition in scale, height, and intensity at the Downtown plan boundary and between adjoining urban neighborhoods of differing development types.

Optima Sonoran Village located on the western boundary of the Downtown District is bounded by:

North: Camelback Road and directly north of Camelback Road a vacant lot, a 10-story office building, a hotel, a restaurant and other commercial buildings within a combination of zoning districts which include D/RCO-2 PBD DO, C-0 DO and R-5 DO.

East: A 3-story office building and parking structure within the C-3 DO Highway Commercial district within the Downtown Overlay.

South: A 10-foot public alley with a tall mature oleander hedge bordered on the south by a masonry fence and single family homes

within the Whitworth neighborhood, a R1-10 Single Family Residential district.

West: 68<sup>th</sup> Street right-of-way bordered on the west of 68<sup>th</sup> by 2-story townhomes within the Pavoreal townhome development, an R-4 Townhome Residential district.

Optima Sonoran Village is a mixed-use development containing residential uses along its south and western borders adjoining neighboring residential districts and commercial uses along its northern and eastern borders adjoining the adjacent commercial districts. Optima Sonoran Village's mix of uses harmonizes with the existing urban neighborhoods to effectively connect the residential neighborhoods to the Downtown. The development is composed of five buildings oriented around two grand landscaped courtyards establishing a new residential community. The buildings are composed of individual courtyard dwellings which focus views within the development toward generous landscaped roof gardens providing private outdoor spaces for each home. This design provides a highly articulated façade with large recesses, setbacks and bridging terraces creating a rich array of shades and shadows. The courtyards are linked by public pathways and open spaces that encourage walking. The development includes a 46-foot setback from its southern border and the southern building is limited to 38-feet in height. The eastern and western most buildings are oriented north-south and setback 100-feet from the southern border and 60-feet from parts of 68<sup>th</sup> Street. These setbacks are fully landscaped further screening and softening the transition of the development to adjacent neighborhoods.

**Character and Design Goal 3: Downtown Development should respect and respond to the unique climate and context of the southwestern Sonoran Desert.**

The architecture will embody a site-sensitive vocabulary of deep-layered shades, shadows, colors, textures and transparency. Overlapping and interconnected forms and voids will create a diverse and provocative composition of space. Cantilevering landscaped terraces will shade public pedestrian courtyards, creating shelter not just as covered space, but as a serene sanctuary from the southwest desert. These landscaped courtyards are intended to celebrate the Sonoran Desert landscape and climate. Water features, used judiciously, will be placed in locations of higher pedestrian activity to accentuate the oasis qualities of the spaces.

**Character and Design Goal 4: Strengthen pedestrian character and create strong pedestrian linkages.**

The Property is located on Camelback Road and 68<sup>th</sup> Street and the immediate neighborhoods surrounding it contain residential and commercial properties of varying age, character, and scale. The

Whitworth neighborhood and single family homes directly to the south are separated by a public alley containing a tall, mature oleander hedge and masonry fence. While there is no direct connection to this neighborhood from Sonoran Village planned, pedestrians walking north from the Whitworth neighborhood on the 68<sup>th</sup> Street sidewalk will have access to the public pedestrian pathways through Sonoran Village, its courtyards and spaces to the northeast corner of the site along Camelback Road. From the west across 68<sup>th</sup> Street the Pavoreal townhome development will also have access to the pathways through Sonoran Village to the Northeast corner of the site along Camelback Road and the shops and entertainment of Downtown.

**Character and Design Goal 5: Create coherent and consistent street spaces**

Optima Sonoran Village is composed of five buildings organized around a grand central courtyard open to Camelback Road through a dramatic, two-story covered entry. This entry invites pedestrians and motorists into the development visually and symbolically into Downtown. The design also incorporates lushly landscaped open spaces on the northwest, southwest, south and southeast edges of the Property along Camelback Road, 68<sup>th</sup> Street and the southern border of the Property. These spaces are interconnected with the central courtyards allowing public pedestrian access along pathways into and through the development. Located on the boundary of the Downtown District the street spaces are designed to accommodate and encourage a visual and functional connection of the adjacent neighborhoods with the Camelback Corridor and Downtown Scottsdale.

**Character and Design Goal 6: Incorporate a regional landscape palette that complements Downtown's urban character.**

The palate of plants are similar to those selected for Optima Camelview Village and represent the City policy of projecting a "desert oasis design character, providing an abundance of shade, color, varied textures, and forms". The plant materials will be integrated into the design and structure of the building and will compliment the existing neighborhoods with regard to scale, density, placement, and arrangement.

**Character and Design Goal 7: The extent and quality of lighting should be integrally designed as a part of the built environment.**

Exterior lighting will consist of low pathway lights, landscape accents and other focused task lighting to minimize unnecessary artificial illumination in full compliance with Scottsdale's requirements including no residual illumination beyond the property line.

**Character and Design Goal 8: Implement high quality design in Downtown architecture.**

Optima was founded in 1978 by David C. Hovey, FAIA to purchase land, design, construct, market, sell, and manage residential and mixed use buildings. The guiding principal and business model is based on providing long range solutions for residential and mixed-use development through high quality design and architecture that compliments the established urban and/or suburban community. Careful attention to detail for both design and construction has elevated Optima as one of the nation's premier mixed-use residential developers. Optima Sonoran Village will build on many of the elements and qualities found in the highly acclaimed Optima Camelview Village development including the use of high quality materials, indoor/outdoor living, efficient open plans and luxurious exterior urban spaces that excite the senses.

Optima Sonoran Village is composed of five buildings organized around a grand central courtyard open to Camelback Road through a dramatic, two-story covered entry. This entry the public into the development and symbolically into Downtown.

The architecture will embody a site-sensitive vocabulary of deep-layered shades, shadows, colors, textures and transparency. Overlapping and interconnected forms and voids will create a diverse and provocative composition of space along the public way and within the development. Cantilevering landscaped terraces will shade public pedestrian courtyards, creating shelter not just as covered space, but as a serene sanctuary from the southwest desert.

**Character and Design Goal 9: Development should incorporate sustainable building practices and products.**

Optima Sonoran Village will continue pioneering the ecological stewardship exemplified by Optima Camelview Village. Landscaping will also be as important an element of the architectural composition as the physical expression of the buildings.

The nationally recognized cost for a developer to build a project to green building standards is an additional 6%.

The City of Scottsdale recently adopted the new IGCC with local amendments conducive to the Sonoran Desert and Scottsdale's development standards and is designed to reduce the adverse environmental impacts associated with development in the areas of heat island mitigation, material resources, energy consumption, water depletion and indoor environmental quality. The IGCC enhances Scottsdale's environmental quality of life for residents, businesses and visitors. It adds

economic, environmental and community value while responding to the growing demand for a 21<sup>st</sup> century green lifestyle involving urban density, open space, mixed use and pedestrian connectivity. As part of this Infill Incentive District request, Optima Sonoran Village is proud to serve as the pilot project for the City of Scottsdale and will be one of the first projects in the world to be certified under the IGCC.

Approximately 95% of the building materials are regionally sourced and contain recycled content, approximately 21% percent of indoor water use is reduced, and approximately 26% energy use is reduced from baseline measures. Optima Sonoran Village addresses the unique climate of the desert southwest in the design of the site and buildings. The project far exceeds IGCC minimum provisions for 50% site hardscape shading and 75% roof protection with shading and vegetated terraces and roofs. To help reduce reliance on vehicular transportation, the site has been designed to integrate alternative modes of transportation, including a bus stop and common area bicycle parking.

**Mobility:** The mobility chapter of the Downtown plan contains goals and policies that guide public and private sector implementation strategies to improve mobility and circulation to, from, and within Downtown Scottsdale.

**Mobility Goal 1:** Develop complete streets through public and private infrastructure investments and improvements.

Optima Sonoran Village is designed to be a pedestrian friendly open development encouraging residents, neighbors, and the public to enjoy the pathways throughout the project that connect the residents and neighbors to the Downtown. Like Optima Camelview Village, this “pedestrian relief” is based on the concept of desert sensitive architecture providing shade and protection from sun during the harsh summer months. The pedestrian walkways and paths will be bicycle friendly and will provide a unified way-finding system throughout the development. Vehicular access has been reviewed by City officials and meets all regulations for ingress and egress, truck delivery access and operations, and emergency response vehicles.

**Mobility Goal 2:** Create, complete, comfortable, and attractive pedestrian circulation systems.

Optima Sonoran Village includes pedestrian paths designed in accordance with the policies outlined in Mobility Goal 2. Space for meeting, way finding signage, focused task lighting, seating, and plenty of shade are all incorporated into the development pathways.

**Mobility Goal 3: Create a hierarchy of pedestrian spaces within the overall Downtown.**

Optima Sonoran Village is organized around a grand central courtyard open to Camelback Road through a dramatic, two-story covered entry. This grand entry invites the public into the development and symbolically into Downtown. The design also incorporates lushly landscaped open spaces on the northwest, southwest, south and southeast of the Property along Camelback Road, 68<sup>th</sup> Street and the southern border of the Property. These spaces are interconnected with the central courtyards allowing public pedestrian access along pathways into and through the development. Located on the boundary of the Downtown District the street spaces are designed to accommodate and encourage a visual and functional connection of the adjacent urban neighborhoods with the Camelback Corridor and Downtown Scottsdale.

**Mobility Goal 4: Ensure a convenient and adequate parking supply downtown.**

Optima Sonoran Village is designed with all required parking located underground in accordance with the zoning ordinance for both the residential aspect of the development as well as the limited commercial aspect of the development.

**Mobility Goal 5: Encourage transit that local and regional connections to and from downtown Scottsdale.**

Optima Sonoran Village will provide an eastbound transit stop and is across the street from a westbound transit stop on Camelback Road.

**Arts and Culture:** The goals and policies of the Arts and Culture chapter define the direction for existing and future Downtown arts and cultural amenities and programs particularly those that celebrate what is unique to our community and continue to distinguish it artistically and creatively.

**Arts and Culture Goal 1: Invest in current and create new opportunities to advance Downtown Scottsdale as an arts and cultural hub with regional, national, and international significance.**

Optima Sonoran Village is composed of five buildings organized around a grand central courtyard open to Camelback Road through a dramatic, two-story covered entry. This entry invites the public into the development and symbolically into Downtown. Optima Sonoran Village will include a public art component appropriately integrated into the development. The development will bring new residents to Downtown that will support and strengthen existing culture institutions, local restaurants, commercial, and retail businesses in Downtown.

**Arts and Culture Goal 2: Create a museum without walls Downtown where all can participate.**

Optima Sonoran Village is intended to be another "signature project" for the City of Scottsdale. Optima seeks to create architecture that engages people in the same way as art. In addition and as discussed in Arts and Culture Goal 1, through compliance with the cultural improvements program the project is intended to retain the feeling of a "museum without walls" integrating the pedestrian paths with nature and public art.

**Arts and Culture Goal 3: Promote and support initiatives that foster Downtown as an interactive arts district.**

A significant portion of the site on the northwest corner of Optima Sonoran Village will be dedicated to the City of Scottsdale as open public space and Optima is currently working with the City's Cultural Arts Program regarding an on site public art component.

**Economic Vitality: The goals and policies of the Economic Vitality chapter encourage Downtown to be a sustainable and functional mixed-use center for the city and region**

**Economic Vitality 1: Support Downtown's economic role as a hub for arts, culture, retailing, entertainment, tourism, and events.**

Optima Sonoran Village is a mixed-use residential development that will contain a maximum of 781 units which will house hundreds of high income residents who will support existing Downtown restaurants, commercial, retail, entertainment and cultural institutions contributing substantially to the vitality and economic viability of Downtown. Optima Sonoran Village is a few minute walk from Fashion Square Mall, The Waterfront, and Old Town shopping and galleries. Residents will enjoy the conveniences of urban living while strengthening and promoting the Downtown as a vital place for businesses to thrive and grow. The Economic Vitality Guiding Principle is intended to secure Scottsdale's future as a desirable place to live, work and visit based on the foundation of a dynamic, diversified and growing economic base that complements the community. While highlighted in elements of the General Plan the Economic Vitality Element recognizes that variety and quality of housing is crucial to the stability of the local economy. Discussion specific to the importance of housing and neighborhoods as it relates to the overall of sustainability of Scottsdale's community is summarized in the following section.

**Economic Vitality 2: Promote private investment and attract new development to Downtown.**

Optima Sonoran Village is the result of the City's effort to encourage new development and reinvestment that maintains Downtown Scottsdale's

economic edge in the region. The additional housing will promote the retention of existing business as well as the development of new ones.

A recent Economic Impact study completed for Optima Sonoran Village in December 2011 concluded that the upon completion of construction, there will be approximately 2,700 permanent new jobs created and the increase in economic output will be approximately \$312 million with an increase in household earnings of \$103 million. Permanent jobs are direct and indirect jobs created from the construction, operation, and maintenance of projects lasting longer than two years. Economic output is defined as the total increase in production (direct, indirect, and induced) stemming from the construction and operations of the new project. Household earnings are defined as the wages and salaries of labor, plus any income earned by independent proprietors.

**Economic Vitality 3: Establish public regulations and processes that encourage creativity and flexibility in building and site design.**

Optima Sonoran Village's application includes a request to amend an existing Planned Block Development (PBD) along with the base Downtown zoning (D/RCO-2). The PBD allows for flexibility in development standards if the Downtown Plan's urban design objectives are exceeded through appropriate buffering and development character.

**V. Infill Incentive District**

The Infill Incentive District was recently adopted by City Council in July 2010. The Infill Incentive District was designed to give property owners more flexibility to achieve a "high level of quality development while at the same time assisting in the provision of public amenities and benefits", and encouraging the redevelopment of vacant or abandoned parcels in Downtown Scottsdale.

The Infill Incentive District allows for an increase in building heights, floor area ratio and density greater than what is permitted by the underlying zoning district with a commitment to enhanced public benefits provided by the applicant/developer. Optima Sonoran Village will provide the redevelopment of an abandoned apartment complex on a premier corner of the Downtown District, will be the pilot project for the City of Scottsdale's newly adopted IGCC, contribute \$250,000 for Downtown public improvements, provide large open space areas, pedestrian amenities, mobility/transit enhancements, and other commitments as listed earlier in this narrative.

The developer's offices are located in downtown Scottsdale and Optima remains strongly committed to their substantial investment in downtown



Scottsdale. As such, the application for the Infill Incentive District would allow the development to adapt to the current market conditions while remaining consistent with the goals and policies set forth by the City's Downtown Plan.

## **V. Conclusion**

In summary, each element of the City of Scottsdale's Downtown Plan provides Visions and Goals which, when satisfied, provide the basis for successfully shaping the growth, both financially and physically, of Downtown. This application, which seeks modest utilization of the Infill Incentive Plan, implements the "Vision" and "Goals" identified in each element of the Downtown Plan while allowing the developer the flexibility to adapt to current market conditions, and helping to ensure the project's success while at the same time further contributing to the economic vitality and sustainability of Downtown Scottsdale.



Optima Sonoran Village

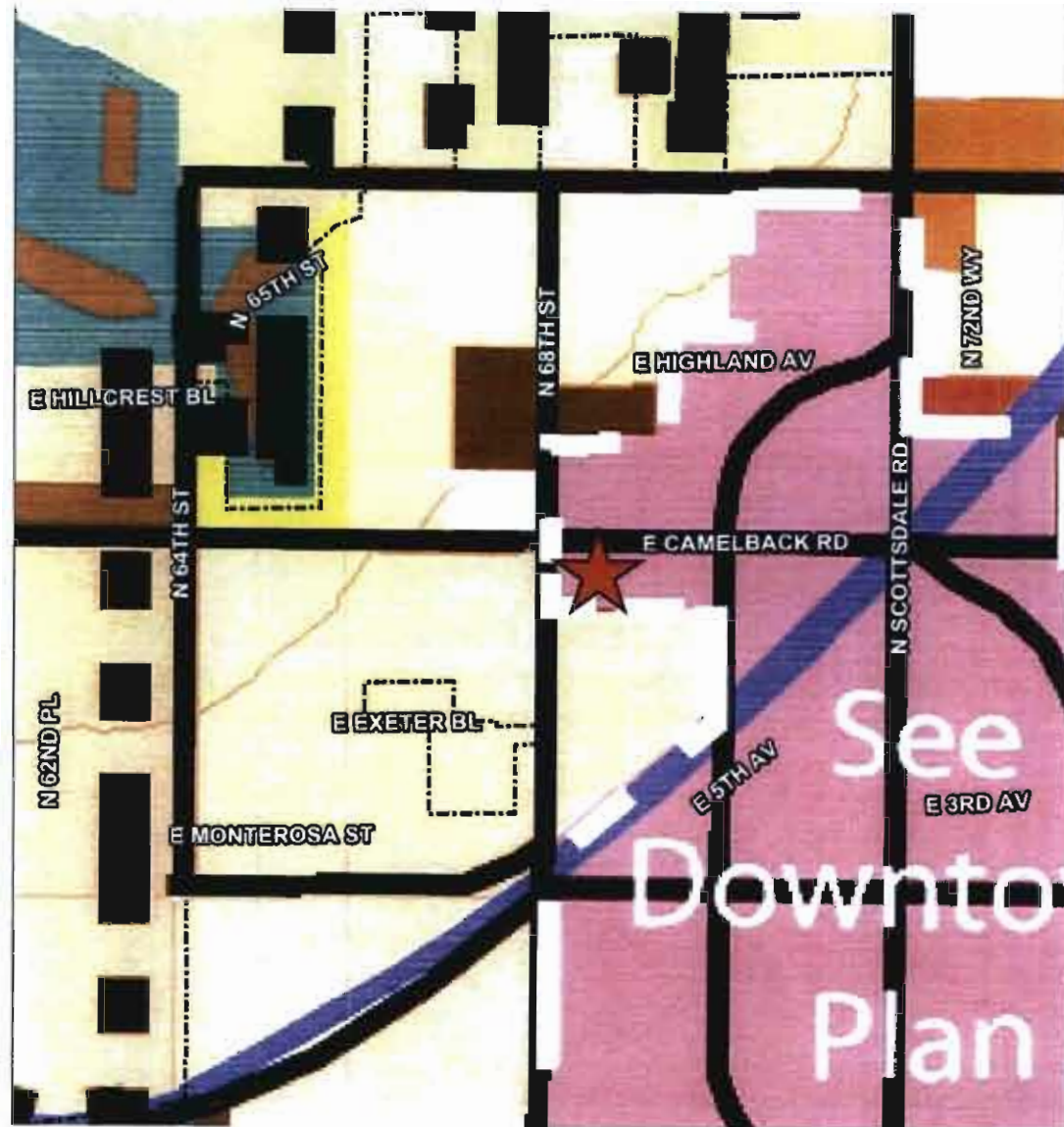
1-ZN-2010#2





Optima Sonoran Village

# Land Use Map





**CITIZEN REVIEW PLAN & NEIGHBORHOOD INVOLVEMENT REPORT**  
**Southeast Corner of Camelback Road & 68<sup>th</sup> Street**  
**IID Zoning Request**  
**Optima Sonoran Village (formerly Orchidtree)**  
April 12, 2012

**Overview**

This citizen outreach and neighborhood involvement report is being performed in association with an IID zoning request for the redevelopment of approximately 9.8 gross acres located on the southeast corner of Camelback Road and 68<sup>th</sup> Street. The design team has created a project that is architecturally striking and sensitive to neighboring properties. As part of the request, this citizen review and neighborhood involvement plan has been drafted and will be ongoing throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling stakeholders and preparing for the neighborhood outreach began prior to the application filing and will continue throughout the process. Communication with impacted and interested parties will take place with verbal, written, electronic, and door-to-door contact.

**Community Involvement**

The project team has been busy conducting outreach into the community to date. Door-to-door work and smaller meetings with homeowners and interested parties in key neighborhoods such as Whitwood, Pavoreal, Villa Adrian, Villa D'Este, and COGS has occurred and will continue throughout the process. Members of the outreach team will continue to be contactable via telephone, email, and personal meeting to answer any questions relating to the request.

Surrounding property owners and other interested parties were noticed via first class mail regarding the request. This notification contained information about the request, contact information to receive additional information, and the opportunity to give feedback. The notification also contained information regarding a Neighborhood Open House that was held for anyone who wished to learn more about the request. This Open House was held on March 12, 2012 with 21 neighbors in attendance. Several follow-up meetings have been held with neighbors immediately to the south to show line-of-sight renderings of the proposal and to address any questions related to the submittal.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. As previously stated the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the request.

Attachments:

3.12.2012 Sign-in Sheets

Comment Cards

Notification letter

Notification list

Affidavit of posting



March 2, 2012

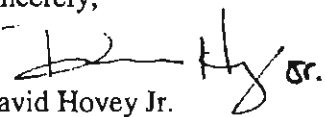
Dear Neighbor:

As you probably know, construction has begun on the Optima Sonoran Village site on 68<sup>th</sup> Street and Camelback Road. During the beginning of this process, we have found it necessary to make a few changes to our previous design. We want to bring a first class project to the long vacant property that will complement the existing neighborhood. As part of the process with the City of Scottsdale, applications have been filed for a site plan amendment and rezoning of the northernmost building on Camelback Road.

We are pleased to invite you to attend an open house to review our proposal. The open house will be held in the sales office at Optima Camelview, 7177 E. Rancho Vista Drive in Scottsdale, from 5:00 p.m. to 6:00 p.m. on Monday, March 12, 2012.

In the meantime, if you have any questions, please contact our neighborhood outreach team, Technical Solutions, at 602-957-3434. The City of Scottsdale Project Coordinator for this project is Brad Carr, who can be reached at 480-312-7713.

Sincerely,

A handwritten signature in black ink, appearing to read "David Hovey Jr." with a stylized "Sr." at the end.  
David Hovey Jr.

Optima  
Neighborhood Meeting Sign-In Sheet  
Monday, March 12, 2012

Print Name	Address	Phone	Email
- Jane Peters			
Louise Hawks	4339 N 69 <sup>th</sup> Way		
Ulen Hawks	4353 N 70 <sup>th</sup> St		
Barry & Holly Pettit	1010 W SHELTON WA.	360 789 1051	
Julie Bosserman	6832 E Minkota Ave	480-946-0923	dbosserman@nsn.com
Bef Shipp	6848 E Montecito Ave	480 247-1995	bshipp@mac.com
MARY CARLSON	6933 E GLENROSA	Unlisted	office@villapetra.com
Paul Christens	4330 N 68 <sup>th</sup> place	480 894-9811	thepaul@msn.com
JOHN MULHOLLAND	6711 E CAMERON RD	602-569-0482	BHMSM@MSN.COM
Pat French	4334 N 70 <sup>th</sup> St	(480) 941-4424	patfrench14@aol.com
* Frank & David Grossman	6711 E Camelback #78	(480) 423-5455	dfgros@yaho.com
BILL HAWKS	WANTS TO BE UNIT		

©



Optima  
Neighborhood Meeting Sign-In Sheet  
Monday, March 12, 2012

[illegible]

Optima  
Neighborhood Meeting Sign-In Sheet  
Monday, March 12, 2012

[illegible]

Optima  
Neighborhood Input Card

PRINT NAME Julie Bosserman  
ADDRESS 6832 E Montecito Ave CITY Scottsdale ZIP 85251  
PHONE 480-946-0923 EMAIL rosiejs58@cox.net

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

- ① To decrease the flow of traffic south on 68<sup>th</sup> St  
Would like to see Rt hand turn only out of 68<sup>th</sup> St  
parking exit
- ② Would like a line of site drawing of the buildings  
from our back yard.

Good luck - we're looking forward to good neighbors /

**Optima  
Neighborhood Input Card**

PRINT NAME Dave Bosserman  
ADDRESS 6832 E Montecito CITY \_\_\_\_\_ ZIP 85251  
PHONE 480-946-0923 EMAIL dbosserman@msn.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

- ① would like to see a line-of-sight view from our  
property, looking north. We are concerned about the bulk of the  
11-story buildings
- ② We strongly urge right-turn only onto 68th street.
- ③ The staff has been helpful, we appreciate the outreach.

**Optima  
Neighborhood Input Card**

PRINT NAME Louise Hawks  
ADDRESS 4339 N. 69th Way CITY Scottsdale ZIP 85251  
PHONE 480 970 6767 EMAIL luhawks@hotmail.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

Build it as high as you like. It will help  
Villa Adrian property values.

**Optima  
Neighborhood Input Card**

PRINT NAME Allen Hawks  
ADDRESS 4353 N 70th St. CITY Scottsdale ZIP 85251  
PHONE 480 970 6767 EMAIL \_\_\_\_\_

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I like it.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Affidavit of Sign Posting

☒ Project Under Consideration Sign (White) ☐ Public Hearing Notice Sign (Red)

Case Number: 1-11-2012 & 1-ZN-2010#2

Project Name: Optima Orchidtree

Location: 6801 East Camelback

Site Posting Date: 3/2/2012

Applicant Name: John Berry

Sign Company Name: Scottsdale Sign A Rama

Phone Number: 480-994-4000

I confirm that the sign has been posted as indicated by the Project Manager for the case as listed above.

Stephany K. Shul

Applicant Signature

3-5-2012

Date

Return completed original signed and notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal. E-mail copy to your project coordinator.

Acknowledged before me this the 5th day of March 2012



Maj L. Kinney  
Notary Public  
Maricopa County, Arizona  
My Comm. Expires 01/02/2016

Maj L. Kinney  
Notary Public

My commission expires: Jan 2, 2016

## Planning, Neighborhood & Transportation Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

03/02/2012

# Early Notification of Project Under Consideration

## Neighborhood Open House Meeting

Date: March 12 2012

Time: 5:00pm

Location: 7177 E Ranch Vista Drive Scottsdale

Site Address: 6801 E Camelback Road

### Project Overview:

#### ■ Description of Request:

Zoning case application for a site plan amendment and amended development standards, Downtown Infill Incentive District application for increased FAR, density, and building height (not to exceed 129ft)

■ Lot Size: +/- 9.87 Acres

■ Site Zoning: D/RCO-2/PD00

Applicants Contact: John Barry

Phone number: 480-885-2727

City Contact: Brad Carr

Phone number: 480-312-7713

Case Numbers: 1-8-2012 & 1-ZN-2010#2 Available at The City of Scottsdale: 480-312-7000

After 5:00pm, project information is available at: [www.scottsdaleaz.gov/projects/ProjectInfoProcess](http://www.scottsdaleaz.gov/projects/ProjectInfoProcess)

Meeting Date: 3/12/2012

Penalty for removal of or defacing sign prior to date of last hearing

- A person is responsible for sign removal



## **Bloemberg, Greg**

---

**From:** mattgossett@gmail.com on behalf of Matt Gossett [matt@scimo.com]  
**Sent:** Tuesday, April 03, 2012 8:21 PM  
**To:** patlamer@msn.com; nslemmon@lemmontree.com; Rick Robertson; sandy cowen; loriwatts@live.com; Doug & Paula Christianson; Michael Ward; oconnor.john.2010@gmail.com; Margaret Gossett; ttrdhs@yahoo.com; blen@mac.com; dbosserman@msn.com  
**Cc:** Lane, Jim; Borowsky, Lisa; Klapp, Suzanne; Littlefield, Robert; McCullagh, Ron; Milhaven, Linda; Robbins, Dennis E; hoveydr@optimaweb.com; Bloemberg, Greg  
**Subject:** Optima Sonoran Village Site Plan Discrepancy  
**Attachments:** Optima Sonoran Village Site Plan Discrepancy.pdf

Hello Neighbors:

I wanted to bring to your attention that the setbacks presented by Optima to city council and our neighborhood are false. For example one setback that was supposed to be 50 feet is actually only 7 feet (see attached pdf). Another setback between Optima and an adjacent residential home measured 47 feet; Optima represented this distance to be 87 feet.

Thanks,  
Matt Gossett

## Bloemberg, Greg

---

**From:** Lebovitz, Brandon  
**Sent:** Wednesday, April 04, 2012 7:28 AM  
**To:** Bloemberg, Greg  
**Subject:** FW: Optima Sonoran Village

FYI... I saved to CDS and printed for the file.

**From:** dbosserman@msn.com [mailto:dbosserman@msn.com]  
**Sent:** Tuesday, April 03, 2012 5:57 PM  
**To:** Lebovitz, Brandon  
**Subject:** Optima Sonoran Village

## City of Scottsdale Email

I am concerned that construction of this project is going ahead with changes to the setbacks that have not been approved, either by the council or the planning commission. The plans submitted by Optima, both the original and the modified (unapproved) version show approximately 80 foot setback from the south property line for the easternmost building. That building is now being constructed with walls that are about 45 feet from the southern property line. Why is this being allowed, when no plans have shown this reduction in setback? I would appreciate hearing from someone, either via email or by phone at 480-946-0923. Thank you.



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## Bloemberg, Greg

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**From:** Kalber, Bill  
**Sent:** Thursday, April 05, 2012 5:29 AM  
**To:** Bloemberg, Greg  
**Subject:** FW: Optima Sonoran construction

Greg,

Here is the short email trail for the concern raised with setback at Optima Sonoran. Hopefully this will help with your response to the concern you received. The homeowner raising the concern, Dave Bosserman lives at 6832 E. Montecito.

Let me know if you have any questions.  
I would be more than happy to meet you out there if you believe it is warranted.

Have a good day.  
Bill

**From:** Dave Bosserman [mailto:dbosserman@msn.com]  
**Sent:** Wednesday, April 04, 2012 1:12 PM  
**To:** Kalber, Bill  
**Subject:** RE: Optima Sonoran construction

Bill, thank you for the information, and for your prompt response. I appreciate it very much.

Regards,  
David Bosserman

**From:** Kalber, Bill [mailto:BKALBER@SCOTTSDALEAZ.GOV]  
**Sent:** Wednesday, April 04, 2012 12:48 PM  
**To:** 'Dave Bosserman'  
**Subject:** RE: Optima Sonoran construction

David,

Myself and the Building Inspection Supervisor met on site with an Optima representative to investigate your concern. The wall that is being formed and poured north of your property line is for the underground structure and the elevation at the top of the wall will be at its maximum height. The building addressed 6895 E. Camelback (most eastern building) will be approximately 35-45 feet north of the underground structure wall being formed now. That would put it very close to the 80 foot measurement mentioned in your email. Everything is being done per approved plan.

All floor elevations and setbacks will be certified by special inspections and turned over to the City. We also will continue to monitor during construction.

Let me know if you have any more questions concerning this site.

Have a great day.  
Bill

**Bill Kalber**  
**Field Engineering Supervisor**  
**Inspection Services**  
**City of Scottsdale**

9191 E. San Salvador  
Scottsdale, AZ 85258  
480-312-8122 (O)  
602-228-2187 (C)  
480-312-5704 (F)  
[BKalber@ScottsdaleAZ.gov](mailto:BKalber@ScottsdaleAZ.gov)  
[www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)



**From:** Dave Bosserman [mailto:dbosserman@msn.com]  
**Sent:** Tuesday, April 03, 2012 6:56 PM  
**To:** Kalber, Bill  
**Subject:** Optima Sonoran construction

Mr. Kalber – I'm not sure who I should direct this question/concern to; if you are not the appropriate person, can you please let me know who to contact?

I live adjacent to the Optima Sonoran development. I am very concerned that the building currently under construction (the easternmost structure) is being built much too close to the southern property line. All the plans I have seen show this building with about an 80 foot setback; even Optima's most recent request for modifications to the property show the same setback for this building. There is a wall currently being constructed about 45 feet from the southern property line, which does not appear to conform to the approved plan for the property.

Can you let me know who is the person who is responsible for inspecting the construction to assure it is being built according to the approved plans?

Thank you for your assistance.

Regards,  
David Bosserman  
480-946-0923

## **Bloemberg, Greg**

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**From:** mattgossett@gmail.com on behalf of Matt Gossett [matt@scimo.com]  
**Sent:** Tuesday, April 10, 2012 8:38 PM  
**To:** JP Lamer; Nicki Lemmon-Koepke; Rick Robertson; sandy cowen; loriwatts@live.com; Doug & Paula Christianson; Michael Ward; oconnor.john.2010@gmail.com; Margaret Gossett; Brad Henrich; Blen Shipp; Dave Bosserman  
**Cc:** Lane, Jim; Borowsky, Lisa; Klapp, Suzanne; Littlefield, Robert; McCullagh, Ron; Milhaven, Linda; Robbins, Dennis E; David Hovey Jr.; Bloemberg, Greg  
**Subject:** My Backyard View of the Optima Sonoran Development  
**Attachments:** Backyard View Optima.jpg

Hello Neighbors:

I have attached a rendered view of the Optima Sonoran Development, as seen from my backyard. Please note the crane, for a sense of perspective. Please come to the Planning Commission meeting tomorrow at 5 PM at Scottsdale City Hall to express your opinion about the size of this project. You can speak or just fill out a card with your thoughts. Please forward this message to any neighbors who were not included in this e-mail.

Thanks,  
Matt Gossett

## **Bloemberg, Greg**

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**From:** Blen Shipp [blen@mac.com]  
**Sent:** Tuesday, April 17, 2012 9:50 AM  
**To:** Bloemberg, Greg  
**Cc:** hoveydr@optimaweb.com; Matt and Margaret Gossett; Brad Henrich; Lori Watts; Dave And Julie Bosserman  
**Subject:** Re: Downtown Parking Requirements

Thanks Greg. I look forward to taking a look at the actual ordinance.

I know that the currently approved specs for Optima Sonoran Village indicate 931 spaces, and 493 dwelling units. I don't know how many spaces out of that number were apportioned for commercial space. I understand that Optima's current application has revised the commercial square footage to 12,500 SF.

David Hovey Jr. and I spoke yesterday about a few things, including parking. He cited 1108 residential parking spaces for the application before the city now--excluding commercial.

One big concern that many of my neighbors and I share is overflow parking into the Whitwood neighborhood.

This concern had been expressed also during the original application. With this current application request to significantly increase the density of the planned residential development, the neighbors concern about overflow parking is only heightened.

To contrast the current approved plans with the proposal now under review, the current 50du/acre (493 units), with 931 parking spaces (perhaps you can refine that 931 count since I don't know if that includes commercial or not), apparently increase disproportionately with the proposed 80du/acre and 1108 residential parking spaces.

The difference between 50du/acre and 80du/acre represents a forty percent (40%) increase. Whereas the proposed increase in parking for residential appears to be significantly less. The difference between 931 and 1108 represents a fifteen point nine percent (15.9%) increase.

David has described to the neighborhood that there is no floor plan set in stone, so the final number and types of units is always in flux. As I understand it, this allows them as a developer to be nimble and organic in design and construction to respond to the needs of the market, including building some units to specific requests of some clients. I am also aware that the cost of constructing underground parking is expensive at roughly forty thousand (\$40,000) dollars per space.

Our concern in Whitwood, is that even if Optima Sonoran Village builds several custom, large units such that the final number of units were 750 rather than 781, and even if 100 of those units had only one resident, and even if one were to conservatively calculate two residents for multi-occupant units, (ignoring that, in practice, renters have been known to rent collectively, as in a group of three or four in a two bedroom unit, for instance,) the provisions for parking for the current proposal to increase density appears to be inadequate when one figures the difference between 1,400 drivers and 1,108 parking spaces. Frankly, the neighborhood would find little consolation if the resident to parking discrepancy were one hundred--and we're looking at potentially three hundred drivers looking for a place to park as the entrance to Whitwood sits half a block south of Optima Sonoran Village. As I try to get a grasp of potential repercussions, I think I have tried to use numbers above that refrain from "worse case scenario"-itis. Moreover, please note that the above numbers also avoid speculating about the possible number of visiting, non-resident, guests.





## REQUEST TO SPEAK

263

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time **MAY** be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Margaret Bossert MEETING DATE 4/11/12

NAME OF GROUP/ORGANIZATION (if applicable) \_\_\_\_\_

ADDRESS 6829 E Montecito Ave Scottsdale ZIP 85257

HOME PHONE 480-994-3454 WORK PHONE 602-531-9122

E-MAIL ADDRESS (optional) Margaret@Bossert.net

☒ I WISH TO SPEAK ON AGENDA ITEM # \_\_\_\_\_ ☐ I WISH TO DONATE MY TIME TO \_\_\_\_\_

☒ I WISH TO SPEAK DURING "PUBLIC COMMENT"\* CONCERNING Optima

\*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.



## REQUEST TO SPEAK

283

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time MAY be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Blen Shipp MEETING DATE 4-11-12

NAME OF GROUP/ORGANIZATION (if applicable) Whitwood 2 neighborhood

ADDRESS 6840 E. Montecito Ave. ZIP 85257

HOME PHONE 480 247-1995 WORK PHONE \_\_\_\_\_

E-MAIL ADDRESS (optional) blen@mac.com OPEN HOUSE / ATTACHED

☒ I WISH TO SPEAK ON AGENDA ITEM # 283 ☐ I WISH TO DONATE MY TIME TO \_\_\_\_\_

☒ I WISH TO SPEAK DURING "PUBLIC COMMENT"\* CONCERNING OPTIMA SOLORAN

\*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

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## REQUEST TO SPEAK

243

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time MAY be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Michael Ward MEETING DATE \_\_\_\_\_

NAME OF GROUP/ORGANIZATION (if applicable) Neighbor

ADDRESS 4322 N. 68<sup>th</sup> PLACE ZIP 85251

HOME PHONE (480) 946-3444 WORK PHONE (480) (602) 828-1166

E-MAIL ADDRESS (optional) mward14@cox.net

☐ I WISH TO SPEAK ON AGENDA ITEM # \_\_\_\_\_ ☐ I WISH TO DONATE MY TIME TO \_\_\_\_\_

☒ I WISH TO SPEAK DURING "PUBLIC COMMENT"\* CONCERNING OPTIMA SONORAN VILLAGE

\*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

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## WRITTEN COMMENTS

263

This card is used to submit written comments to the Board or Commission.  
Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Brad Herrod MEETING DATE 4.11.12  
NAME OF GROUP/ORGANIZATION (if applicable) W.A.G (Whitwood Action Group)  
ADDRESS 6814 E. Montecito Av. ZIP 85251  
HOME PHONE 480/577-9905 WORK PHONE 480/940-1831  
E-MAIL ADDRESS(optional) \_\_\_\_\_

AGENDA ITEM # 1-ZN-2010#2 ☐ SUPPORT ☒ OPPOSE

COMMENTS (additional space is provided on the back) We are against the  
Proposed increase in ~~height~~ height and  
density of the Optima Sonoran Village  
Project.

This card constitutes a public record under Arizona law.



## WRITTEN COMMENTS

263

This card is used to submit written comments to the Board or Commission.

Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) BARBARA HENWARD MEETING DATE \_\_\_\_\_

NAME OF GROUP/ORGANIZATION (if applicable) Pavoreal resident

ADDRESS 6711 E Camelback, Scottsdale ZIP 85251

HOME PHONE 480 945 4454 WORK PHONE \_\_\_\_\_

E-MAIL ADDRESS(optional) \_\_\_\_\_

AGENDA ITEM # \_\_\_\_\_ ☐ SUPPORT ☐ OPPOSE ☒ Question

COMMENTS (additional space is provided on the back) \_\_\_\_\_

Residents have concerns that the traffic on 68th will greatly increase and will affect entry to Pavoreal.  
How many units are proposed? How many

This card constitutes a public record under Arizona law.

Written Comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

more cars will that include — just an  
estimate, please.

**REQUEST TO SPEAK:** Citizens wishing to address the Board or Commission in person may obtain a Request to Speak card from staff located at the Staff table in the Kiva.





## REQUEST TO SPEAK

4

*Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.*

*Public testimony is limited to three (3) minutes per speaker.*

*Additional time MAY be granted to speakers representing two or more persons.*

*Cards for designated speakers and the person(s) they represent must be submitted together.*

NAME (print) Jon Frankel MEETING DATE \_\_\_\_\_

NAME OF GROUP/ORGANIZATION (if applicable) \_\_\_\_\_

ADDRESS 6716 E. 2nd St. ZIP \_\_\_\_\_

HOME PHONE 602-583-7295 WORK PHONE \_\_\_\_\_

E-MAIL ADDRESS (optional) jon@frankel.com

☒ I WISH TO SPEAK ON AGENDA ITEM # 4 ☐ I WISH TO DONATE MY TIME TO \_\_\_\_\_

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"\* CONCERNING \_\_\_\_\_

*\*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

**This card constitutes a public record under Arizona law.**



## REQUEST TO SPEAK

6+7

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time **MAY** be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Paula Christensen MEETING DATE 4-25-12

NAME OF GROUP/ORGANIZATION (if applicable) \_\_\_\_\_

ADDRESS 4330 N. 68<sup>th</sup> Place ZIP 85251

HOME PHONE (480) 994-9811 WORK PHONE —

E-MAIL ADDRESS (optional) the.paula.msn.com

☒ I WISH TO SPEAK ON AGENDA ITEM # 6+7 ☐ I WISH TO DONATE MY TIME TO \_\_\_\_\_

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"\* CONCERNING Optima Donor Village

\*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.

**CITIZEN REVIEW PLAN & NEIGHBORHOOD INVOLVEMENT PLAN**  
**Southeast Corner of Camelback Road & 68<sup>th</sup> Street**  
**IID Zoning Request**  
**Optima Sonoran Village** (formerly Orchidtree)  
January 20, 2012

**Overview**

This citizen outreach and neighborhood involvement plan is being performed in association with an IID zoning request for the redevelopment of approximately 9.8 gross acres located on the southeast corner of Camelback Road and 68<sup>th</sup> Street. The design team has created a project that is architecturally striking and sensitive to neighboring properties. As part of the request, this citizen review and neighborhood involvement plan has been drafted and will be ongoing throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling stakeholders and preparing for the neighborhood outreach began prior to the application filing and will continue throughout the process. Communication with impacted and interested parties will take place with verbal, written, electronic, and door-to-door contact.

**Community Involvement**

The project team has already been busy conducting outreach into the community to date. Door to door work and smaller meetings with homeowners and interested parties in key neighborhoods such as Whitwood, Pavoreal, Villa Adrian, Villa D'Este, and COGS has already begun and will continue throughout the process. Members of the outreach team will be available to meet with any neighbors who wish to discuss the request. Additionally, they will be contactable via telephone and email to answer any questions relating to the request.

Surrounding property owners and other interested parties will be noticed via first class mail regarding the request. This notification will contain information about the request, contact information to receive additional information, and the opportunity to give feedback. The notification will also contain information regarding a Neighborhood Open House that will take place for anyone who wishes to learn more about the request. This Open House will be held at a yet to be determined time and place.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. As previously stated the entire team realizes the importance of the neighborhood Involvement process and is committed to communication and outreach for the request.



## ***City Notifications – Mailing List Selection Map***



### **Map Legend:**



Site Boundary



Properties within 750-feet

### **Additional Notifications:**

- ***Interested Parties List***
- ***Adjacent HOA's***
- ***P&Z E-Newsletter***
- ***Facebook***
- ***Twitter***
- ***City Website-Projects in the hearing process***

***Optima Sonoran Village***

**1-II-2012 & 1-ZN-2010#2**

### **MINUTES**

2. Approval of March 1, 2012 Development Review Board Meeting Minutes
3. Approval of January 5, 2012 Annual Ethics Training Workshop Minutes

**VICE CHAIR ORTEGA MOVED TO APPROVE THE MARCH 1, 2012 DEVELOPMENT REVIEW BOARD MEETING MINUTES AND THE JANUARY 5, 2012 ANNUAL ETHICS TRAINING WORKSHOP MINUTES AND SECONDED BY BOARD MEMBER FAKIH. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).**

### **REGULAR AGENDA**

4. 1-ZN-2010#2 & 1-II-2012 Optima Sonoran Village

**BOARD MEMBER JONES MOVED TO APPROVE 1-ZN-2010#2 & 1-II-2012; SECONDED BY VICE CHAIR ORTEGA, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO.**

5. 2-ZN-2012 Bauhaus Flats & Studios

Tom Fenkle provided comments on the proposal

**RECOMMENDATION OF A DEVELOPMENT PLAN WITH REVISIONS, APPROVED 4-2; WITH BOARD MEMBER FAKIH AND COUNCILMAN MCCULLAGH DISSENTING.**

### **NON-ACTION AGENDA**

6. Proposed REVISIONS TO Chapter 37 of the Scottsdale Revised Code, Floodplain and Stormwater Regulation.  
Stormwater management staff presented information regarding proposed revisions to the Floodplain and Stormwater Regulation, and request comments from the Board.

Lynne Lagarde provided comments on the proposal

**AFTER A PRESENTATION BY STAFF, BOARD MEMBERS PROVIDED COMMENTS REGARDING THE PROPOSED REGULATIONS.**

### **ADJOURNMENT**

With no further business to discuss, the regular session of the Development Review Board adjourned at 3:38 p.m.

\* Note: These are summary action minutes only. A complete copy of the meeting audio/video is available on the Development Review Board website at:  
[http://scottsdale.granicus.com/ViewPublisher.php?view\\_id=36](http://scottsdale.granicus.com/ViewPublisher.php?view_id=36)

### **CONTINUANCE AGENDA**

2. 10-GP-2011 (Sereno Canyon Spa & Resort)
3. 16-ZN-2011 (Sereno Canyon Spa & Resort)

John Strasser provided comments on the proposal.

**COMMISSIONER BRANTNER MOVED TO CONTINUE CASES 10-GP-2011 AND 16-ZN-2011 (SERENO CANYON SPA & RESORT) TO A DATE TO BE DETERMINED. SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0); COMMISSIONER FILSINGER RECUSED.**

### **EXPEDITED AGENDA**

4. 12-ZN-2004#3 (NIBW LAU GAC Treatment System)

Maria Bell provided comments on the proposal.

**CHAIR D'ANDREA MOVED TO THE REGULAR AGENDA. COMMISSONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASES 12-ZN-2004#, PER THE STAFF RECOMMENDED STIPULATIONS, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN. SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).**

5. 43-UP-2011 (NIBW LAU GAC Treatment System)

Maria Bell provided comments on the proposal.

**CHAIR D'ANDREA MOVED TO THE REGULAR AGENDA. COMMISSONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASES 43-UP-2011, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE MUNICIPAL USE MASTER SITE PLAN CRITERIA HAVE BEEN MET. SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).**

### **REGULAR AGENDA**

6. 1-ZN-2010#2 (Optima Sonoran Village)
7. 1-II-2012 (Optima Sonoran Village)

Glen Shipp and Paula Chrisensen provided comments on the proposal.

**VICE-CHAIR GRANT MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASES 1-ZN-2010#2 AND 1-II-2012, PER THE STAFF RECOMMENDED STIPULATIONS, AFTER FINDING THAT THE PLANNED BLOCK DEVELOPMENT (PBD) CRITERIA HAVE BEEN MET, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN. SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0); COMMISSIONER FILSINGER RECUSED.**

\* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at: [www.cottsdaleaz.gov/boards/PC.asp](http://www.cottsdaleaz.gov/boards/PC.asp)

**Optima Sonoran Village  
Legislative Modifications of the Downtown District Ordinance  
“Amended Development Standards” as approved by Scottsdale City Council on  
July, 6 2010 (Cases 1-GP-2020, 1-ZN-2010, and 3-AB-2010)  
2-PA-2010**

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**Sec. 5.3000. - (D) DOWNTOWN DISTRICT.**

**Sec. 5.3001. - Purpose.**

The purpose of the D downtown district is to identify the downtown area by designation, to delineate special land use subdistricts, and to formulate appropriate development standards toward implementation objectives articulated in the downtown plan adopted by resolution by City Council. Specific objectives of the downtown plan which these D (downtown) district regulations will implement include:

- A. Preserve and protect the character of the Fifth Avenue, Old Town and West Main districts as pedestrian-oriented shopping areas.
- B. Encourage new hotel development to support specialty retailing downtown.
- C. Attract new office development to sites suitable for such use.
- D. Provide opportunities and incentives for residential projects and for mixed-use development.
- E. Encourage historic preservation.
- F. Establish incentives for underground parking and off-site parking in order to promote more efficient use of land and to improve the appearance of downtown.
- G. Allow latitude for creative design and architectural variety within limits established to preserve solar access, light, and privacy and to create definitive streetscapes.
- H. Encourage joint project planning by neighboring property owners.
- I. Establish incentive and bonus system to obtain public amenities.

*(Ord. No. 1796, 11-5-85)*

**Sec. 5.3002. - Conflict with other sections.**

Where there is conflict between these D downtown district provisions and other sections of the zoning ordinance, these D (downtown) district regulations (sections 5.3000 through 5.3090) shall govern development within the D downtown district except where specifically superseded by the downtown overlay (DO).

*(Ord. No. 1796, 11-5-85; Ord. No. 3520, § 1, 7-1-03)*

**Sec. 5.3010. - Definitions.**

*Adjacent curb:* An existing curb abutting a lot. On a corner lot or a lot bounded by two (2) or more streets or alleys, the nearest adjacent curb is the curb that is closest to the center of a building pad, which is determined by the intersection of diagonal lines connecting the outermost corners of the building pad. For lots adjacent to elevated or

depressed streets, the elevation of the adjacent curb shall be considered to be the elevation as if the street were at grade and not depressed.

*Adjacent lot:* A lot that either abuts for a distance not less than twenty-five (25) feet along a side or rear lot line of another lot or would so abut for such a distance if not separated by an alley.

*Building envelope:* The volume within which a building may be designed as shaped by the building setback, the inclined stepback plane, and the height limit.

*Building footprint* shall mean the building area occupied by a single tenant and associated tenant spaces having common access within the confines of the primary use. The building footprint does not include outdoor activity areas, basements, or floor areas above the first floor level.

*Building line:* The location of a wall of a building nearest to and most nearly parallel to a property line.

*Building height:* The vertical distance measured from grade to top of roof structure. Grade shall be either three (3) feet above the lowest adjacent curb, or twelve (12) inches above average curb, whichever is lowest. Top of building in a Type 1.5 and a Type 2 area shall be the highest point of the structural roof element; and in a Type 1 area the highest point of the coping of a flat roof, or the highest point of a mansard roof, or to the highest gable of a pitch or hip roof.

*Building setback:* The minimum distance a building can be located from the planned curb, centerline of an alley, or a property line, as appropriate to the following:

1. Building setbacks (front or side) from streets shall be measured from the planned curb.
2. Building setbacks from an alley shall be measured from the centerline of the alley.
3. Building setbacks in all other cases shall be measured from the property line.

Where a building setback is not stipulated it shall be considered to be on the property line.

*Covered walk:* A continuous walkway sheltered by a roof structure adjacent and open to the roadway, and accessible to the public at all times.

*Development type:* The character of development sought in various parts of downtown designated as type 1, type 1.5 or type 2, and as regulated by standards listed in schedule B, section 5.3060.

*Floor area, gross:* The sum of the floor areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the center line of a wall separating two (2) buildings. Gross floor area shall not include:

- A. Parking area in building structures.
- B. Uncovered steps.
- C. Exterior balconies.

*Floor area ratio (FAR):* The ratio of gross building floor area to the net lot area of the building site.

*Inclined stepback plane:* An imaginary plane sloping inward on the site from a specified height on the building setback, which together with the building setback and the height limit defines the allowable building envelope.

*Off-site parking:* Parking in a privately or publicly owned parking lot or structure that is not located on the same lot as the use it serves.

*Overlay district:* A special zoning district prescribing additional regulations to those of an underlying subdistrict (see section 5.3080).

*Planned block development (PBD):* A plan for a larger parcel area which may include multiple ownerships, allowing flexibility in certain development standards, and requiring approval by City Council. A planned block development may include certain modifications to land use regulations or development standards, and shall be adopted or amended in accord with section 5.3082.

*Planned curb:* A reference back of curbline along a property frontage from which the building setback is measured and which is established by the public works administrator.

*Subdistrict:* One (1) of the zoning subdistricts established to regulate land use within the (D) downtown district.

*Underground parking:* Parking in a structure not higher than three (3) feet above the lowest adjacent top of curb reference point.

(Ord. No. 1796, 11-5-85; Ord. No. 1932, § 1, 4-7-87; Ord. No. 1996, § 1, 2-1-88; Ord. No. 3394, 6-19-01)

### **Sec. 5.3020. - Approvals required.**

No structure shall be built or altered without Development Review Board approval to be obtained as prescribed in article I, section 1.900.

(Ord. No. 1796, 11-5-85; Ord. No. 3225, § 1, 5-4-99)

### **Sec. 5.3030. - Land use standards.**

Within the D district six (6) subdistricts are identified in accordance to their function within the downtown and shown on the official zoning map. Land uses appropriate to each of these subdistricts are identified and shown in schedule

"P"	— Permitted without conditions.
"L"	— Permitted with limitations to size or use characteristics as described in land use classifications (section 5.3050).
"CU"	— Permitted with a conditional use permit.

A. These land uses are allowed at three (3) levels of permitted activity:

SCHEDULE A  
LAND USE REGULATION FOR SUBDIVISIONS OF THE (D) DOWNTOWN DISTRICT

<i>Use Classifications</i>	Retail Specialty Subdistrict	Office/ Commercial Subdistrict	Office/ Residential Subdistrict	Regional Commercial Office Subdistrict	Residential/ Hotel Subdistrict	Medical Subdistrict	Civic Center Subdistrict	Residential High Density
<i>Residential</i>								
<i>Day Nursery</i>	—	—	CU	—	CU	—	—	CU
<i>Group residential</i>	—	—	CU	—	CU	L(2)	—	CU
<i>Multifamily residential</i>	L(1)	P	P	P	P	P	P	P
<i>Specialized health care facility</i>	—	—	CU	—	—	P	—	—
<i>Minimal health care facility</i>	—	—	CU	—	—	P	—	—
<i>Single-family residential</i>	—	—	P	—	P	—	—	—
<i>Visitor accommodations</i>								
<i>Hotels, motels, and resorts</i>	CU	P	P	P	P	—	—	CU
<i>Commercial</i>								
<i>Adult businesses</i>	—	CU	—	CU	—	—	—	—

Ambulance services	—	—	—	—	—	P	—	—
Animal sales and services								
Animal hospitals	—	P	—	P	—	—	—	—
Pet stores	L(8)	P	—	P	—	—	—	—
Banks and savings & loans	L(3)	P	P	P	—	P	—	—
;I1=&-8q;With drive-up service	—	P	CU	P	—	P	—	—
Catering services	L(8)	P	—	P	—	—	—	—
Commercial recreation and entertainment								
;I1=&-8q;Game center, pool halls, billiard parlors	—	CU	—	CU	—	—	—	—
;I1=&-8q;Other	L(3)	P	—	P	—	—	CU	—
Communications facilities	—	CU	—	CU	—	—	—	—
;I1=&-8q;Small-scale	—	P	P	P	—	—	—	—
Eating and drinking establishments	P	P	P	P	CU	L(2)	—	—
Live entertainment establishment	CU(10)	CU(10)	—	CU(10)	CU(10)	—	—	—
;I1=&-8q;With take-out service	L(3), (8)	L(3)	L(3)	L(3)	—	—	—	—
;I1=&-8q;Drive-through	—	P	—	P	—	—	—	—
;I1=&-8q;Bar/Microbrewery	L	L	—	L	L	—	—	—
;I1=&-8q;Bar/Microbrewery with limited retail and wholesale sales	CU	CU	—	CU	—	—	—	—
Food sales	L(3)	P	P	P	—	—	—	—
Laboratories	—	P	—	P	—	P	—	—
Maintenance and repair services	—	P	—	P	—	—	—	—
Mortuaries	—	CU	—	—	—	—	—	—
Nurseries, plant	—	CU	—	CU	—	—	—	—
Offices, business and professional	L(5)	P	P	P	—	P	—	—
Offices, medical and dental	L(5)	P	P	P	—	P	—	—
Pawnshops	—	P	—	—	—	—	—	—
Personal improvement services	L(5)	P	—	P	—	—	—	—
;I1=&-8q;Health studio	—	P	—	P	—	—	—	—
;I1=&-8q;Massage studio	—	P	—	P	—	—	—	—
Personal and convenience services	L(3), (6)	P	L(2), (3)	P	L(3), (4)	L(2), (3)	—	—
Retail sales								
;I1=&-8q;Arts and crafts	P	—	—	P	L(4)	—	—	—
;I1=&-8q;Big box	—	—	—	P	—	—	—	—



<i>;i1=&amp;-8q;Home furnishings and hardware</i>	L(3)	CU(9), (11)	—	P	—	—	—	—
<i>;i1=&amp;-8q;Other</i>	L(3)	P	—	P	—	—	—	—
<i>;i1=&amp;-8q;Pharmacies and medical supplies</i>	—	P	—	P	L(4)	L(2)	—	—
<i>Seasonal art festival</i>	CU	—	—	CU	—	—	—	—
<i>Secondhand appliance sales</i>	—	P	—	—	—	—	—	—
<i>Travel services</i>	L(3)	P	L(2)	P	L(4)	P	—	—
<i>Vehicle/equipment sales and services</i>								
<i>;i1=&amp;-8q;Automobile rentals</i>	L(7)	CU	—	CU	L(7)	—	—	—
<i>;i1=&amp;-8q;Automobile washing</i>	—	CU	—	CU	—	—	—	—
<i>;i1=&amp;-8q;Commercial parking facility</i>	CU	CU	CU	CU	—	CU	—	—
<i>;i1=&amp;-8q;Service stations</i>	—	CU	CU	CU	—	—	—	—
<i>;i1=&amp;-8q;Vehicle/equipment repair</i>	—	CU	—	CU	—	—	—	—
<i>Wireless communications facilities, (see sections 1.400, 1.906, 3.100 and 7.200)</i>								
<i>Types 1, 2, and 3</i>	—	L(12)	L(12)	L(12)	L(12)	L(12)	L(12)	L(12)
<i>Type 4</i>	—	CU(9)	CU(9)	CU(9)	CU(9)	CU(9)	CU(9)	CU(9)
<i>Public and Semi-Public</i>								
<i>Clubs and lodges</i>	L(5)	P	CU	P	CU	—	—	CU
<i>Colleges and universities</i>	—	CU	CU	CU	—	—	—	—
<i>Cultural institutions</i>	CU	CU	CU	—	CU	—	CU	—
<i>Government offices</i>	—	P	P	P	—	—	CU	—
<i>Hospitals, clinics</i>	—	—	—	—	—	CU	—	—
<i>Municipal uses</i>	—	P	P	P	P	—	CU	—
<i>Religious assembly</i>	—	CU	CU	CU	CU	—	—	CU
<i>Schools, public or private</i>	—	—	CU	—	CU	—	—	CU
<i>Transportation facilities</i>	CU	CU	—	CU	—	—	—	—
<i>;i1=&amp;-8q;Limited</i>	CU	CU	CU	CU	—	CU	—	—
<i>Utilities</i>	—	CU	CU	CU	—	—	—	—
<i>Accessory</i>								
<i>Accessory parking, separate</i>	L(8)	P	P	P	—	P	CU	—
<i>Accessory uses and structures</i>	P	P	P	P	P	P	CU	P



#### ADDITIONAL REGULATIONS PERTAINING TO LAND USE SUBDISTRICTS

- (1) Not permitted on first-floor and cannot occupy more than twenty-five (25) percent of floor area.
- (2) Permitted only in mixed-use development as an accessory use.
- (3) Only "limited" or "small-scale" uses allowed, as defined by use classifications.
- (4) Permitted as accessory use on the site of a hotel or resort only if there is no separate entrance or sign for the limited use.
- (5) Not permitted on ground-floor within twenty-five (25) feet of a street property line.
- (6) Total ground level frontage occupied by this use classification shall not exceed fifteen (15) percent of the street frontage on a block face plus the street property lines forming the sides of corner lots.
- (7) On-site storage limited to two (2) rental cars.
- (8) Not permitted in (P) pedestrian overlay district; see section 5.3081.
- (9) Type two (2) districts only.
- (10) See section 1.403 for criteria.
- (11) Only "medium-scale" uses allowed, as defined by use classification.
- (12) Permitted when building or roof mounted; see sections 1.400, 1.906 and 3.100.

(Ord. No. 1796, 11-5-85; Ord. No. 1932, § 1, 4-7-87; Ord. No. 2232, § 1, 6-6-89; Ord. No. 2311, § 1, 8-21-90; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2620, § 1, 8-2-94; Ord. No. 3020, § 1(a), 6-3-97; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3394, 6-19-01; Ord. No. 3493, § 1, 3-4-03)

#### **Sec. 5.3040. - Subdistrict classifications.**

- A. *(RS) retail/specialty subdistrict.* This subdistrict classification protects the established character of the downtown retail specialty area and, together with development standards, regulates to achieve a compact concentration of those uses appropriate to a pedestrian-oriented selective shopping environment. Residential use is permitted in mixed-use development.
- B. *(OC) office/commercial subdistrict.* This subdistrict is intended to provide opportunities for a full range of retail and service businesses appropriate in downtown. Residential use is permitted in mixed-use development.
- C. *(OR) office/residential subdistrict.* This subdistrict provides for an environment compatible with office and residential uses either as mixed uses on one (1) site or as neighboring uses. Ancillary uses such as retail are permitted for local convenience, but limited in scale and design to protect against dispersion of these activities from other designated subdistricts.
- D. *(RCO) regional commercial office subdistrict.* This subdistrict is intended to provide for large-scale development of office and commercial uses, including regional shopping centers. Residential use is permitted in mixed-use development.
- E. *(RH) residential/hotel subdistrict.* This subdistrict provides for residential/hotel development in an attractive, landscaped environment protected from incompatible uses. Retail and other commercial uses are permitted within hotels and resorts in order to serve the convenience of guests, but limited for the primarily residential character of this subdistrict and to direct the concentration of retail businesses and other appropriate subdistricts.
- F. *(M) medical subdistrict.* This subdistrict provides for medical uses and supporting services, with residential development permitted in mixed-use projects. Limitations on nonmedical uses are intended to favor this area primarily for medical activity.
- G. *(CC) civic center subdistrict.* This subdistrict regulates development and activities in an area designated principally for public and semi-public land uses.
- H. *(RHD) residential high density subdistrict.* This subdistrict provides for a residential environment appropriate for multifamily residential development, and includes standards designed to ensure that light and reasonable privacy are preserved and that adequate open space is provided.

(Ord. No. 1796, 11-5-85)

#### **Sec. 5.3050. - Land use classifications.**

#### **Sec. 5.3051. - Residential use classifications.**

- A. *Day care center.* Public or private establishment providing nonmedical care and supervision for five (5) or more \*persons not related to the operator. This classification includes nursery schools, pre-schools, and day care centers for children and adults.
- B. *Group residential.* Shared living quarters without separate kitchen facilities for each room or unit, including convents, and other special residences.
- C. *Multifamily residential.* Two (2) or more dwelling units on a lot.
- D. *Specialized health care facility.* Convalescent homes or nursing homes.
- E. *Minimal health care facility.* Apartment-like accommodation but with some central services such as central dining, transportation service and limited medical assistance.
- F. *Single-family residential.* One (1) dwelling unit on a lot.

(Ord. No. 1796, 11-5-85)

#### **Sec. 5.3052. - Visitor accommodations use classifications.**

- A. *Hotels, motels, and timeshare facilities.* Establishments offering daily, weekly, or monthly lodging in dwelling units or guest units. These facilities may provide for ancillary recreation and athletic activities such as golf, horseback riding, swimming, shuffleboard, tennis, and similar activities, and offer eating, drinking, and banquet services. Guest units are defined as living and sleeping accommodations for an individual or family without cooking facilities, and within a hotel, resort or timeshare facility.

(Ord. No. 1796, 11-5-85)

#### **Sec. 5.3053. - Commercial use classifications.**

- A. *Adult uses.* A business based primarily upon materials or performances that depict, describe, or relate to "specified sexual activities" or "specified anatomical areas," as defined in article III.
- B. *Ambulance services.* Provision of emergency transportation which may include medical care, and including storage and maintenance of vehicles.
- C. *Animal sales and services.*
  - 1. *Animal Hospitals.* Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air conditioned. Grooming and temporary (up to thirty (30) days) boarding of animals is included if incidental to the hospital use.
  - 2. *Pet Stores.* Retail sales of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of forty-eight (48) hours.
- D. *Art gallery.* A place or establishment where the main business activity is that of buying and selling primarily original paintings, sculpture or limited edition art prints and those items of handcrafting generally considered as types of fine art, such as ceramics, glass, wood, fiber, mixed media and other materials; having an office or gallery staff on-site in person; being open to the public or art dealers on a regular basis. For the purpose of this definition, "primary" shall mean that at least eighty (80) percent of physical space and business activity shall be committed to buying, selling, displaying and storing original or one-of-a-kind works of art.
- E. *Banks and savings and loans.* Financial institutions that provide retail banking services. This classification includes only those institutions engaged in the on-site circulation of cash.
  - 1. *With Drive-up Service.* Institutions providing services to persons who remain in their automobiles.
  - 2. *Small-scale.* Limited to facilities occupying less than two thousand (2,000) square feet.

- F. *Catering services.* Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption.
- G. *Commercial/recreation and entertainment.* Provision of participant or spectator recreation or entertainment.
  - 1. Game Center, Pool Hall, Billiard Parlor.
  - 2. Other. Bowling alleys, ice/roller skating rinks, tennis/racquetball courts, and indoor theaters.
    - a. Limited. Indoor movie theaters and performing arts theaters.
- H. *Communications facilities.* Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms but excluding utilities. This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices.
  - 1. Small-scale. Limited to communication facilities occupying less than two thousand (2,000) square feet of space and without transmitter towers.
- I. *Eating and drinking establishments.* Businesses serving prepared food or beverages for consumption on or off the premises.
  - 1. Bars With Live Entertainment/Patron Dancing.
  - 2. With Take-out Service. Establishments at which twenty (20) percent or more of the transactions are sales for off-site consumption.
    - a. Drive-through. Service from a building to persons in vehicles through an outdoor service window. This classification excludes "drive-in" service where food or drink are ordered from and served by persons outside of a building.
    - b. Limited. Establishments that do not serve persons in vehicles.
  - 3. Bar/Microbrewery; Facility with provision for the brewing of beer for on-premises consumption only. Limited ability to supply catered functions. Maximum of fifteen (15) percent of floor area shall be devoted to the brewery.
  - 4. Bar/Microbrewery with Limited Retail and Wholesale Sales. A maximum of thirty (30) percent of floor area may be used for the brewing, bottling and/or packaging of the product.
- J. *Food sales.* Retail sales of packaged food and food for home preparation. This includes bakeries, candy stores, grocery stores and supermarkets.
  - 1. Small-Scale. Occupying less than five thousand (5,000) square feet of space.
- K. *Laboratories.* Establishments providing medical or dental laboratory services; or establishments occupying less than two thousand (2,000) square feet that provide photographic, analytical, or testing services. Other laboratories are excluded from this classification.
- L. *Maintenance services and repair services.* Establishments providing appliance repair, office machine repair, and upholstery, or establishments providing building maintenance (janitorial) services. This classification excludes maintenance and repair of vehicles (see vehicle/equipment repair).
- M. *Mortuaries.* Provision of services such as preparing the deceased for burial and conducting funerals. This classification excludes cemeteries, crematoriums, columbariums, and mausoleums.
- N. *Offices, business and professional.* Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, real estate, insurance, investment, and legal offices. This classification excludes banks and savings and loans, and medical and dental offices.
- O. *Offices, medical and dental.* Offices providing medical or dental services, including laboratories incidental to an office use.
- P. *Pawnshops.* Establishments in which the business of pawnbrokers is conducted, subject to the requirements of the City Code.
- Q. *Personal improvement services.* Provision of instructional services or facilities, including the teaching of photography, fine arts, crafts; dance or music studios; driving schools; business and trade schools, reducing salons and fitness studios.
  - 1. Health Studios or Spas. Establishments with equipment for exercise and physical conditioning.
  - 2. Massage Studios. Establishments providing massage services. Establishments offering massage by one (1) person to another of the other gender are not permitted.

- R. *Personal and convenience services.* Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, tailors, shoe repair shops, dry cleaning establishments (excluding bulk cleaning), photocopying, and self-service laundries.
  - 1. Limited. Excludes dry cleaning establishments and self-service laundries.
- S. *Plant nurseries.* Establishments primarily engaged in the sale of plants in which all merchandise other than plants are kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.
- T. *Retail sales.*
  - 1. Arts and Crafts. Establishments selling art objects, art supplies, antiques, jewelry, handmade glass, custom photographs, pottery, porcelain, leather goods, and similar products. This classification includes art galleries, antique shops, craft shops, jewelry design and creation studios, photo studios, and wholesale distribution of high-value, low-bulk arts and crafts merchandise, such as gems, works of art, and handmade crafts.
  - 2. Big box shall mean any single retail space with a building footprint of equal to or greater than 75,000 square feet.
  - 3. Home Furnishings and Hardware. Establishments selling awnings and canvas, home appliances, carpets and floor coverings, hardware, furniture, kitchen utensils, paint, and wallpaper.
    - a. Small-scale. Occupying less than three thousand (3,000) square feet.
    - b. Medium-scale. Occupying up to twelve thousand (12,000) square feet.
  - 4. Other Retail Sales. This classification includes department stores, drugstores, clothing stores, and fabric stores, and businesses retailing the following goods: toys, hobby materials, books, guns, cameras, photographic supplies, electronic equipment, records, sporting goods, shoes, office supplies, stationery, bicycles, and new automotive parts and accessories (excluding service and installation).
    - a. Small-scale. Occupying less than three thousand (3,000) square feet.
  - 5. Pharmacies and Medical Supplies. Establishments primarily selling prescription drugs and medical supplies and equipment at wholesale or retail. This classification excludes dispensing opticians and drugstores primarily selling general merchandise.
- U. *Secondhand appliance sales.* The retail sale of used appliances. This classification excludes antique shops primarily engaged in the sale of used furniture and accessories other than appliances.
- V. *Travel services.* Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies (see vehicle/equipment sales and services).
  - 1. Small-scale. Limited to establishments occupying less than two thousand (2,000) square feet.
- W. *Vehicle/equipment sales and services.*
  - 1. Automobile Rentals. Rental of automobiles, including storage, but excluding maintenance.
  - 2. Automobile Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles.
  - 3. Commercial Parking Facility. Lots offering short-term or long-term parking to the public for a fee.
  - 4. Service Stations. Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and repair of automobiles and light trucks, but excludes body and fender work or repair of heavy trucks or vehicles.
  - 5. Vehicle/Equipment Repair. Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage, tire retreading or recapping, and body and fender shops.

(Ord. No. 1796, 11-5-85; Ord. No. 2232, § 1, 6-6-89; Ord. No. 2279, § 1, 1-16-90; Ord. No. 3020, § 1(b), 6-3-97; Ord. No. 3394, 6-19-01)

#### **Sec. 5.3054. - Public and semi-public use classifications.**

- A. *Clubs and lodges.* Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests.
- B. *Colleges and universities.* Public or private educational institutions that offer a course of study leading to a recognized degree.

- C. *Cultural institutions.* Nonprofit institutions displaying or preserving objects of interest in one (1) or more of the arts or sciences. This classification includes libraries, museums, and nonprofit art galleries.
- D. *Government offices.* Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.
- E. *Hospitals.* Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for out-patient treatment, and twenty-four-hour emergency clinics, as well as training, research, and administrative services for patients and employees.
- F. *Municipal uses.* Any use providing service to the general public that is operated by or contracted for by the City of Scottsdale.
- G. *Wireless communications facilities,* subject to the requirements of sections 1.400, 1.906, 3.100 and 7.200.
- H. *Religious assembly.* Facilities for religious worship and incidental religious education.
- I. *Schools, public or private.* Public elementary or secondary schools or private schools that offer a curriculum comparable to that of the public schools of the State of Arizona, excluding colleges and universities.
- J. *Transportation facilities.* Facilities for loading, unloading, and transferring passengers, baggage, and incidental freight between links of transportation. This classification includes bus terminals, public transit and trolley stations.
  - 1. Limited. Transit stops and trolley stations.
- K. *Utilities.* Electrical substations, refuse collection or disposal facilities, water reservoirs, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines are excluded.

(Ord. No. 1796, 11-5-85; Ord. No. 2430, § 1, 1-21-92; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3493, § 1, 3-4-03)

#### **Sec. 5.3055. - Accessory use classification.**

- A. *Accessory parking, separate.* Required automobile parking on a site separate from the use it serves.
- B. *Accessory uses and structures.* Uses and structures that are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site.

(Ord. No. 1796, 11-5-85)

#### **Sec. 5.3060. - Site development standards.**

Schedule B prescribes two (2) types of development standards applicable to areas in the D district as shown on the official zoning map: Development type 1 for areas of compact development, and development type 2 for areas of intermediate and large-scale development. Basic development standards within each development type are listed. References in the additional regulations column refer to regulations located elsewhere in the zoning ordinance.

(Ord. No. 1796, 11-5-85)

### SCHEDULE B SITE DEVELOPMENT STANDARDS

		Type 1 Area (Compact Development)	Type 1.5 Area (Low-Scale Development)	Type 2 Area (Intermediate Development)	Additional Regulations
<b>I. Development Requirements</b>					
1.	Basic Floor Area Ratio (FAR)	0.8	0.8	0.8	Section 5.3090
	a. Underground parking FAR bonus maximum	0.3	0.3	0.3	Section 5.3090 C1, 9.108.C.3.
	b. Historic site FAR bonus maximum	0.2	0.2	0.2	Section 5.3090 C2.
	c. Special improvements FAR bonus maximum	0.3	0.3	0.3	Section 5.3090 C4.
	d. Planned block development FAR bonus max.	0.1	0.1	0.1	Sections 5.3061 A, 5.3082
2.	Total maximum FAR (excluding residential bonus and right-of-way credit)	1.5	1.4	1.4	Sections 5.3061 B, 5.3065
	a. Residential/hotel FAR bonus maximum	0.5	0.4	0.4 0.78	Section 5.3090 C3.
3.	Total maximum FAR (including residential but excluding right-of-way credit)	2.0	1.8	1.8 2.18	Section 5.3061 L
<b>II. Site Requirements</b>					
1.	Minimum Site Area	None required	None required	None Required	
2.	Minimum Front Building Setback	12 feet from planned curb	20 feet from planned curb except designated street frontages	20 feet from planned curb except designated street frontages	Sections 5.3066, 5.3061 G, 5.3061 H, 5.3081 C
3.	Minimum Interior Side Building Setback	None	None	None	Sections 5.3066, 5.3061 I
4.	Minimum Corner Side Building Setback	12 feet from planned curb	20 feet from planned curb	20 feet from planned curb	Section 5.3066
5.	Minimum Rear Building Setback	No minimum except as required for off-street loading and trash storage	No minimum except as required for off-street loading and trash storage	No minimum except as required for off-street loading and trash storage	Sections 5.3066, 5.3061 I
6.	Landscaping	No minimum	No minimum	No minimum	Section 5.3062

7.	Parking	Pursuant to article IX	Pursuant to article IX	Pursuant to article IX	Pursuant to article IX
8.	Signs				Section 5.3061 K
		Type 1 Area (Compact Development)	Type 1.5 Area (Low-Scale Development)	Type 2 Area (Intermediate Development)	Additional Regulations
<b>III. Building Design Requirements</b>					
1.	Basic Height Maximum (all uses)	26 feet (not more than 2 levels)	26 feet	38 feet (not more than 3 levels)	Section 5.3061 C, Section 5.3063 C
2.	Bonused Height Maximums				Section 5.3090
a.	Planned block development (all uses)				Section 5.3082
	100,000 sq. ft. minimum parcel	None	None	50 feet (not more than 4 levels)	
	200,000 sq. ft. minimum parcel	None	30 feet (not more than 4 levels)	65 feet 129 feet (inclusive of roof top mechanical and/or apparatus; not more than 11 levels)  129 foot maximum height shall only be permitted for one (1) of the five (5) buildings on site	Section 5.3063 C
b.	Residential use	36 feet (not more than 3 levels)	38 feet not more than 3 levels)	50 feet (not more than 5 levels)	Section 5.3061 M
c.	Hotel use	36 feet (not more than 3 levels)	38 feet (not more than 3 levels)	72 feet (not more than 8 levels)	
3.	Building Size Maximum	None	350 feet any side, 550 feet two adj. sides. Above 38-foot elevation, 200 feet maximum	495 feet any side, 610 feet two adj. sides. Above 38-foot elevation, 495 feet maximum	Section 5.3061 D
4.	Spacing Between Buildings Minimum	None	10% of two longest sides	15 feet	Section 5.3061 E
5.	Large Walls				
a.	Vertical dimension maximum	26 feet	26 feet	38 feet 65 feet 129 feet without additional setback	Section 5.3061 F
b.	Horizontal dimension maximum	None	200 feet without "break"	200 feet without "break"	Section 5.3061 F
6.	Building Envelope, starting at a point 26 feet above the building setback line, the inclined stepbacks plane slopes at:	2:1 on the front, and 1:1 on the other sides of a property	1:1 up to a height of 38 feet, 2:1 thereafter on all sides of a property	1:1 up to a height of 38 feet, 2:1 thereafter on all sides the east, south, and west sides of a property, and 4:1 thereafter on the north side of a property.	Section 5.3061 J, 5.3061 N
7.	Encroachments Beyond Inclined Stepback Plane	Not permitted	A max. vertical encroachment of 15 ft. is	A max. vertical encroachment of 15 ft. is	Sections 5.3063,

			permitted on a maximum of 25% of the length of an elevation	permitted on a maximum of 25% of the length of an elevation	5.3066
8.	<b>Building Lines</b>	At the first level minimum 50% of front building face shall be at front building setback	Minimum 25% of area of front bldg. face below 26 ft. shall be at front building setback. At first level, min. 25% of width of projected street elevation must be at least 10 ft. behind front building setback	At first level, min. 25% of width of projected street elevation must be at least 10 ft. behind front building setback	
9.	<b>Private Outdoor Living Space</b>	Minimum area of 60 sq. ft. per dwelling unit required with minimum dimensions of 6 ft.	Minimum area of 60 sq. ft. per dwelling unit required with minimum dimensions of 6 ft.	Ground-floor dwelling unit; min. dimension 10 ft. Upper floor unit; min. dimensions 6 ft. with min. area of 60 ft.	

(Ord. No. 1796, 11-5-85; Ord. No. 1932, § 1, 4-7-87; Ord. No. 1996, § 1, 2-1-88; Ord. No. 2736, § 1, 3-7-95; Ord. No. 3225, § 1, 5-4-99)

### **Sec. 5.3061. - Additional regulations.**

- A. Within a planned block development (PBD) transfer of floor area between abutting parcels in the same ownership shall be permitted. Transfer of floor area between parcels under different ownerships in the same planned block development shall be permitted, subject to special conditions of approval for the planned block development (section 5.3082).
- B. An additional square foot of allowable floor area will be permitted for each square foot of required right-of-way dedicated to the city before December 31, 1987.
- C. Maximum building height shall not exceed thirty-eight (38) feet in the following areas:
  1. Within one hundred forty one (141) feet of an R-1 district.
  2. Within one hundred (100) feet of a type 1 area, except that planned block development projects may be approved with a bonused height maximum of up to fifty (50) feet.
- D. Maximum building length shall not exceed:
  1. Four hundred ninety five (495) feet in any horizontal dimension.
  2. Six hundred Ten (610) feet total for any two (2) adjacent building enclosure dimensions (e.g. front and side).
  3. Four hundred Ninety Five (495) feet for the upper portion of a building above the thirty-eight-foot elevation.
- E. Spacing between two (2) buildings on the same site shall be not less than fifteen (15) feet.
- F. Large wall surfaces shall be controlled in vertical dimension and horizontal dimension by the following:
  1. *Horizontal dimension:* No wall surface shall be more than two hundred (200) feet long without a "break" (a break shall be an interruption of the building wall plane with either a recess or an offset measuring at least twenty (20) feet in depth, and one-quarter of the building in length. The offset angle constituting the "break" recess shall be between ninety (90) degrees and forty-five (45) degrees to the wall).
  2. This standard was deleted in 1-GP-2010/1-ZN-2010/3-AB-2010.
  3. Interior side walls farther than sixteen (16) feet from a side property line and within one hundred (100) feet of the front setback line shall not have a vertical dimension greater than thirty-eight (38) feet without an offset of at least ten (10) feet. Offset angles shall be between ninety (90) degrees and forty-five (45) degrees to the wall. Exempt from this requirement are multifamily dwellings, hotels, and buildings containing less than two hundred thousand (200,000) square feet in gross floor area.
- G. Where existing setbacks on forty (40) percent or more of a blockface are less than the specified setback, the required setback on a site to be developed shall be the average setback of the developed portion of the blockface. Section 7.201 (adjustment of front yard requirements) shall not apply.



- H. Buildings fronting Indian School Road, and on Scottsdale Road north from Camelback Road and south from Osborn Road to the D district boundary, shall be set back forty (40) feet from the planned curbline. Buildings fronting on the couplet road and located in a type 2 area shall be set back thirty (30) feet from the planned curbline.
- I. No building wall shall be so placed as to create a yard measuring less than three (3) feet at a property line between two (2) private properties.
- J. Adjoining an R-1 district, the inclined stepback plane shall be 1:1 from a ten-foot high stepback line.
- K. RHD subdistrict signs shall comply with article VIII R-5 regulations. Signs in all other subdistricts shall conform with C-2 district regulations.
- L. For residential development and timeshare facilities (as defined in section 3.100), density shall not exceed ~~fifty (50)~~ **eighty (80)** dwelling units per gross acre.
- M. In order to qualify for the fifty-foot bonused height maximum a residential use shall be on a site larger than twenty thousand (20,000) square feet.
- N. The inclined stepback plane shall not apply to interior property lines within a planned block development.

(Ord. No. 1796, 11-5-85; Ord. No. 1899, § 1, 7-15-80; Ord. No. 1932, § 1, 4-7-87; Ord. No. 1996, § 1, 2-1-88)

#### **Sec. 5.3062. - Screening and landscaping.**

- A. *Screening.* Fences, walls, hedges, or berms shall not exceed three (3) feet in height between a building setback line and a street property line or eight (8) feet in height between a building setback line and an interior side or rear property line.

A nonresidential use shall be screened from adjoining ground floor residential use or an adjacent residential district by masonry walls of the maximum heights permitted by this section unless the Development Review Board finds that such walls are unnecessary or inappropriate at the specific location.

All operations and storage shall be conducted within a completely enclosed building or within an area screened by a wall or fence approved by the Development Review Board or prescribed by the use permit if such is required for a principal use on the site.

- B. *Landscaping.* All setback areas visible from the street shall be improved with landscaping, paving, walks or other appropriate materials. Landscaping shall include mature trees: In a type 1 area in accordance with requirements of the Development Review Board; and in a type 2 area, one (1) mature tree per nine hundred (900) square feet of landscape area.
- C. *Maintenance of required planting areas.* Required planting areas shall be permanently maintained. This includes watering, weeding, pruning, insect control, and replacement of plant materials and irrigation equipment as needed to preserve the health and appearance of the plant materials.
- D. *Preservation of mature trees.* The removal or alteration of one (1) or more mature trees shall be by permit, issued by the project review director. The project review director's decisions shall be in accord with guidelines for tree planting, alteration, and removal established by the Development Review Board. The project review director may require that a tree removed to remedy adverse affects on views, privacy and amenity, be replaced by a mature tree at the same or another location.

(Ord. No. 1796, 11-5-85)

#### **Sec. 5.3063. - Exceptions to height limits.**

- A. A maximum vertical building encroachment of fifteen (15) feet is permitted into the inclined stepback plane for not more than twenty-five (25) percent of the length of the building's elevation, but not above the maximum allowable bonused building height.
- B. The ridge of sloping roof or a parapet wall, in addition to A above, may encroach vertically into the inclined stepback plane and into the maximum allowable height no more than four (4) feet in type 2 and type 1.5 areas only.
- C. The following paragraph supersedes sections 7.100—7.103 (exceptions to height restrictions) which shall not apply within the D district.

Towers, spires, chimneys, transmission towers, fire towers, flag poles, utility penthouses, enclosures for necessary mechanical equipment, and similar structures **shall not exceed the maximum heights as outlined in section 5.3060, schedule B** ~~covering not more than 10 percent of the ground area covered by the structure to which they are accessory may exceed the allowable maximum bonused height by five (5) feet in a type 1 area, and by fourteen (14) feet in a type 1.5 or a type 2 area. Such structures located on top of a hotel or a multifamily building may, however, exceed the maximum allowable bonused height by eighteen (18) feet in a type 1.5 or a type 2 area.~~ All such structures shall be set back a minimum of ten (10) feet from the furthest outside edge of the roof on which they are located, and shall comply with the stepback requirements of section 5.3060, schedule B. Roofs and parapets on top of mechanical penthouses, elevator penthouses and similar structures shall not be allowed to exceed these additional height allowances **exceed the maximum heights as outlined in section 5.3060, schedule B.**

(Ord. No. 1796, 11-5-85; Ord. No. 1932, § 1, 4-7-87; Ord. No. 1996, § 1, 2-1-88)

#### **Sec. 5.3064. - Exceptions to maximum vertical and horizontal dimensions of walls.**

Upon request, the City Council, after receiving a recommendation from the Planning Commission and the Development Review Board, may modify the maximum vertical dimension of wall or maximum horizontal dimension standards prescribed in schedule B if it finds that the beneficial intent of the regulations is exceeded by a particular design.

(Ord. No. 1796, 11-5-85; Ord. No. 1996, § 1, 2-1-88)

#### **Sec. 5.3065. - Credit for area in dedicated right-of-way.**

For the purpose of FAR calculations, right-of-way dedications shall not reduce the land area base size to less than eighty (80) percent of the original site size.

(Ord. No. 1796, 11-5-85)

#### **Sec. 5.3066. - Building projections.**

Maximum projections permitted into a required setback area but not beyond property line shall be as follows:

- A. *Fireplaces or chimneys:* Two (2) feet.
- B. *Uncovered porches, terraces, platforms, underground garages, and patios not more than three (3) feet above grade:* May extend into a front setback yard not closer than five (5) feet to the property line.
- C. *Cornices, eaves, and ornamental features:* Two (2) feet.
- D. *Balconies, stairs, canopies, awnings, and covered porches:* Four (4) feet beyond a front or rear setback and two (2) feet beyond a side setback, not exceeding twenty-five (25) percent of the length of the adjoining property line.

- E. *Bay windows:* Two and one-half (2½) feet if not on ground.

(Ord. No. 1796, 11-5-85)

### **Sec. 5.3070. - Parking regulations.**

The provisions of article IX shall apply.

(Ord. No. 2736, § 1, 3-7-95)

### **Secs. 5.3071—5.3074. - Reserved.**

*Ord. No. 2736, § 1, adopted Mar. 7, 1995, repealed former §§ 5.3071—5.3074, which pertained to various parking regulations.*

### **Sec. 5.3080. - Overlay regulations.**

#### **Sec. 5.3081. - (P) pedestrian overlay district.**

- A. *Purpose.* The purpose of the (P) pedestrian overlay district is to augment site development standards and land use regulations in order to obtain and preserve the compact character of certain pedestrian-oriented areas. The overlay district requirements are intended to encourage development and redevelopment that enhances the scale of the street frontages and the architecture, [and] the linkage of pedestrian activities.
- B. *Boundaries.* The boundaries of the downtown shopping special use area shall be as indicated on the zoning district map by a "P" designator.
- C. *Site development regulations.* Site development standards for the (P) overlay district shall be those specified in section 5.3060 schedule B with the addition of the following requirements:
1. *Covered Walkways:* On designated frontage shown on the zoning district map (or a supplementary map illustrating the pedestrian overlay areas), a continuous covered walk shall be required. Configuration of the covered walk shall be as follows:
    - (a) On frontages identified as local streets in the downtown plan, a building setback of twelve (12) feet is required, superseding requirements of schedule B. The covered walkway shall project in front of the building with the roof supported at a column line three (3) feet back of the planned curb line. Where a property line is more than twelve (12) feet from the planned curb, the required building setback shall be considered to be the property line.
    - (b) On frontages identified as major streets in the downtown plan, the covered walkway shall project in front of the building setback ten (10) feet to a column line supporting the roof structure.
  2. *Interior Side Lot Line Setbacks:* Where side yards exist, they shall be screened to provide design continuity on the building frontage.
  3. *Views Into Buildings:* At least two-thirds of the width of each frontage shall consist of openings or clear glass windows providing views of merchandise displays, building interiors, or courtyards.
  4. *Location of Parking:* Parking in the pedestrian overlay district shall be located pursuant to article IX.
- D. *Subdistrict overlay regulations.* Special needs of specific subdistricts are served by the following regulations:
1. (RS) Retail Specialty Subdistrict:
    - a. The following use classifications, which are permitted in the RS subdistrict, are not permitted in the overlay district:
      - (1) Accessory parking, separate.
      - (2) Animal sales and services: Pet stores.
      - (3) Catering services.
      - (4) Eating and drinking establishments with take-out service.
      - (5) Automobile rental.

- b. Storefront width: Apparent storefront width shall not exceed fifty (50) feet, except along the adjoining side lot line of a corner lot.

(Ord. No. 1796, 11-5-85; Ord. No. 1932, § 1, 4-7-87; Ord. No. 1992, § 1, 1-5-88; Ord. No. 2736, § 1, 3-7-95)

### **Sec. 5.3082. - (PBD) planned block development overlay district.**

- A. *Purpose.* To capitalize on additional opportunities offered at larger scales of development, flexibility in certain land-use and development standards is available upon recommendation of the Planning Commission and express approval of City Council through the PBD overlay district.
- B. *Area requirements:* Each PBD overlay district shall include a minimum contiguous land area of sixty thousand (60,000) square feet in the RS subdistrict and one hundred thousand (100,000) square feet in other underlying subdistricts, including intervening streets and alleys, and shall have no dimension less than one hundred twenty-two (122) feet. The net lot area in a PBD project shall include, for the purposes of calculating the minimum land area and allowable building gross floor area, property above or below dedicated right-of-way held either in ownership or as an easement, provided that such holdings are developed and provide pedestrian linkage acceptable to the city.
- C. *Status.* Adoption of a PBD overlay district proposal shall be by amendment to the zoning district map, but the ordinance amendment shall not alter the use regulations or development standards of the underlying subdistrict except as specifically permitted below.
- D. *Allowable modifications to use regulations and development standards.* Available FAR and height bonuses shall be as defined in schedule B (section 5.3060). The following modifications in use regulations and development standards may be approved as part of PBD overlay district:
  - 1. Allowable floor area may be transferred between parcels within the same subdistrict in a PBD overlay district proposal provided that a legal instrument satisfactory to the city attorney shall be recorded limiting the building floor area on parcels from which floor area is transferred.
  - 2. Regulations for specific use classifications may be modified by the development plan text to accommodate appropriately sized accessory uses.
  - 3. Site development standards, not including base FAR and required parking spaces, may be modified by the development plan text or map, provided that the maximum allowable heights shall not exceed the maximums specified in schedule B (section 5.3060).
- E. *Application for designation.*
  - 1. A proposed amendment to create a PBD overlay district may be initiated by seventy-five (75) percent of the owners of the land area within the boundaries of the proposed PBD, by the city Planning Commission, or by the City Council, as prescribed by section 1.300.
  - 2. An application initiated by property owners shall include:
    - a. A map indicating the proposed boundaries for the PBD overlay district; the property of participating type designations.
    - b. Development plan consisting of a map and explanatory material as may be necessary to delineate land uses and locations, existing and projected building types and schematic designs, height, FAR (including any proposals for transfer of FAR), site development standards, existing and proposed open space, circulation, traffic impacts, on-site and off-site parking and any other pertinent information.
    - c. A cultural improvements component which conforms with the provisions of the downtown cultural improvements ordinance and which describes artworks, cultural facilities and cultural programs included in the project.
    - d. A comparison between underlying subdistrict regulations and standards and any proposed modified regulations and standards, together with resulting impacts.
    - e. A statement of the reasons for any requested modifications to regulations and standards, and a description of proposed means of mitigating any adverse effects.
    - f. A three-dimensional model, photomontage, or computer-generated perspective drawings depicting the relationship between proposed buildings and existing buildings within three hundred (300) feet of the proposed PBD district boundaries.

- F. *Adoption of PBD overlay district and development plan:* The city Planning Commission shall hold a public hearing on a proposed application as provided for in sections 1.604 and 1.605. Prior to the hearing, the Development Review Board shall make a recommendation on any proposed modifications to section 5.3060, schedule B, site development standards, including any additional regulations which apply. After receiving the Development Review Board's recommendation, the Planning Commission shall recommend, and the City Council shall consider for adoption, an amendment creating a PBD overlay district only after making the following findings:
1. That the development plan is consistent with the adopted downtown plan and other applicable policies, and that it is compatible with development in the area it will directly affect.
  2. That the development plan contributes additionally, beyond the underlying regulations, to the urban design objectives articulated for downtown, and that deviations from the regulations that otherwise would apply are justified by compensating benefits of the development plan.
  3. That the development plan includes adequate provisions for utilities, services, and emergency vehicle access, and, if warranted, connections between underground parking facilities.
  4. That projected traffic generated by the development plan will not exceed the capacity of affected streets.
  5. That the development plan will not significantly increase solar shading of adjacent land in comparison with development under prevailing regulations.

(Ord. No. 1796, 11-5-85; Ord. No. 1992, § 1, 1-5-88; Ord. No. 1996, § 1, 2-1-88; Ord. No. 3225, § 1, 5-4-99)

### **Sec. 5.3083. - Cultural improvements program.**

- A. *Purpose.* The City Council finds as follows:
- [1.] That the continued vitality of the downtown district is essential to the economic, social, and aesthetic well-being of the City of Scottsdale;
  - [2.] That downtown Scottsdale has an established artistic and cultural component, based on elements including the Scottsdale Center for the Arts, the many art galleries and a variety of public activities;
  - [3.] That enhancement of this cultural and artistic component will contribute to the continued welfare and revitalization of the downtown district to the benefit of both the private and public sectors;
  - [4.] That the integration of publicly visible works of art into private development projects will strengthen the downtown as the cultural center of the city by incorporating the arts into the urban environment;
  - [5.] That the City Council wishes to promote these goals by encouraging collaboration between developers, artists, architects, landscape architects, engineers and other project planners, and by providing a means to finance art works and cultural facilities and programs in key public areas in the downtown [district];
  - [6.] That a developer of a planned block development in the downtown district is afforded certain incentives and bonuses not available to developers of similar projects.
- B. *Definitions.*
1. *Art in public places program.* The program established pursuant to the provisions of Scottsdale Revised Code section 20-121 and 20-121.1 providing for the selection and installation of original works of art in public places within the City of Scottsdale.
  2. *Art work or works of art.* All forms of limited edition or one-of-a-kind original creations of visual art created by an artist.

An original work of art, shall not include any of the following, unless specifically allowed by the Scottsdale Cultural Council. Directional elements such as supergraphics, signage or color coding except where these elements are integral parts of the original works of art; art objects which are mass-produced of standard design such as playground equipment, fountains or statuary objects; reproduction by mechanical or other means of original works of art; decorative, ornamental or functional elements created by the project architect instead of an artist commissioned for this purpose; landscape architecture or gardening except for elements designed by the artist as an integral part of the work of art; electrical, water or mechanical service for activation of the works of art; art exhibitions and educational activities; security and publicity concerning works of art, architects fees, land costs.

3. *Artist.* A practitioner in the visual arts, generally recognized by his or her critics and peers as a professional possessing serious artistic intent and ability.
4. *Building valuation.* The building valuation as determined by the development services director or his or her designee, based on the building valuation data published by the International Conference of

Building Officials, and noted on the building permits. For purposes of this ordinance only, calculation of building valuation shall not include public improvements square footage, residential uses other than hotel, or hospitals as defined in section 3.100 of the zoning ordinance.

5. *Cultural trust fund.* The separate fund into which shall be placed only the monies received pursuant to this ordinance. This fund may be used only for the purposes authorized by this ordinance.
6. *Planned block development.* A plan for a large parcel area which may include multiple ownerships, allowing flexibility in certain development standards, and subject to specific review, all as provided in section 5.3082, et seq., of the Scottsdale Zoning Ordinance.
7. *Public improvements square footage.* Square footage which is attributable to a special public improvement constructed pursuant to section 5.3090(C)(4) of the zoning ordinance, for which the developer received bonus floor area.
8. *Scottsdale Cultural Council.* The entity, and any successor, designated by the City Council to administer the art in public places program.
9. *Visual arts professional.* An artist, art educator, art critic, art administrator, designer, art historian, art museum curator or director or fine art collector, who is well respected in his or her field, and recognized by his or her peers as being knowledgeable in regard to visual art.

C. *Imposition of percent for arts obligation.*

1. In a planned block development (PBD) in the downtown district, original works of art costing a minimum of one (1) percent of the building valuation shall be installed and maintained in accordance with the provisions of this ordinance, and the art in public places program.

The cost of the art work may include: Structures which enable the display of art work(s); expenses incurred within the artist's budget to cover professional fees for the artist(s); labor of assistants; materials and contracted services required for the production and installation of the work(s) of art; travel expenses of the artist for site visitation and research; transportation of the work of art to the site; site preparation for art work installation; and other installation costs of the completed art work.

2. The artists and art work shall be selected by one of the following procedures, at the option of the developer:
    - a. The developer may select a visual arts professional to act as a consultant. The visual arts professional will aid the developer in selecting the artist and the art work, in accordance with the guidelines set forth in this ordinance; or
    - b. The developer may utilize the resources and services of the Scottsdale Cultural Council in selecting the artist and/or art work, in accordance with procedures and guidelines established by the entity.
  3. Original art work is to be placed within the PBD, on a site which takes into account the following: Unobstructed public viewing and accessibility; public safety; interior and exterior use patterns which are consistent with existing or future architectural and natural features; and primary uses of the building, and relationship of the proposed art work to existing art works within the site or area. Art work should be placed where visible from the street, or in exterior spaces such as walkways, plazas, and exterior building surfaces.
- D. *In-lieu fee.* The developer of a PBD may pay an amount equal to one (1) percent of the building valuation or any portion of the obligation not used on site, into the cultural trust fund, in lieu of installing original art work in the PBD. Such amount shall be disbursed in accordance with the provisions of the art in public places program, provided that art work purchased with monies deposited in the cultural trust fund, shall be placed only in the downtown district.
- E. *Cultural trust fund.* There is hereby established a cultural trust fund (CTF), into which shall be deposited all sums collected pursuant to the provisions of this ordinance. The CTF shall be used exclusively for the purposes and through the processes set forth in this ordinance, and in the art in public places program.
- F. *Project completion.*
1. A preliminary art plan and schematic design which identifies location, type and approximate scale of the art work shall be submitted to the planning and zoning department prior to Development Review Board approval of the development project.

The Scottsdale Cultural Council will review the developer's proposed public art plan prior to Development Review Board for consistency with the public art master plan and make a written nonbinding recommendation to the Development Review Board, providing a copy to the developer.

2. A final art plan and design consisting of appropriate drawings and models shall be submitted to the planning and zoning department at or before the submission of final construction drawings.
3. On site art work must be installed by the artist, and the visual arts professional or the Scottsdale Cultural Council must certify that the requirements of this ordinance have been met, and/or the in-lieu fee must be deposited, before a certificate of occupancy will be issued for the project. Certification shall be by the Scottsdale Cultural Council only when the developer has opted not to employ a visual arts professional, and has chosen to select the artist as provided in section C(2)(b) of this ordinance.

The certification shall include: (1) a statement that the art work, artist and site meet the criteria established by this ordinance, (2) the date on which the installation or deposit was completed, and (3) an itemized account of the expenses incurred by the developer in fulfilling the requirements of this ordinance.

G. *Exemptions.* This ordinance shall not apply to:

- (1) Those portions of a planned block development for which a building permit has been issued prior to the effective date;
- (2) Individual tenant improvements; or
- (3) Alterations and reconstruction less than thirty thousand (30,000) square feet.

H. *General provisions.*

1. The fee imposed by this ordinance shall be in addition to and supplemental to all other fees imposed by the city.
2. If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions which can be given effect without the valid provision. To this end, the provisions of this ordinance are declared to be severable.

(Ord. No. 2018, 6-21-88; Ord. No. 2301, § 1, 7-17-90; Ord. No. 3225, § 1, 5-4-99)

## **Sec. 5.3090. - Bonus/incentive provisions.**

- A. *Purpose:* The bonus provisions make available incentives for private sector participation in pursuing specifically identified downtown objectives. Bonuses are available for: Underground or off-site parking, historic preservation, residential land use, contribution of special public improvements, and PBD projects (refer to schedule B). Bonuses are available in two (2) forms:
1. Increased building intensity via floor area ratio (FAR) bonuses.
  2. Additional Building Height: Reserved for residential uses, hotel/resort uses and PBD projects.
- B. *Applications:* An application for bonus floor area shall be submitted with the application for development review, and shall include appropriate documents and identify features of the project that qualify for the bonus floor area.
- C. *Computation of bonus floor area or bonus FAR:*
1. A FAR bonus for underground and on-site structure parking may be permitted pursuant to section 9.108.C.3.
  2. Historic Preservation: On a site within the D district that is also zoned (HP) historic property, a bonus floor area equal to twice that of the existing historic structure may be transferred to any other site in the D district. The floor area transferred shall not exceed an FAR of two-tenths for the receiving property. An instrument satisfactory to the city attorney shall be recorded specifying the amount of bonus floor area transferred from the historic property site and the remaining amount not transferred, and ensuring permanent maintenance of the exterior appearance of the historic property as seen from public streets.
  3. Residential Space: The bonus shall equal the total residential floor area on the site, determined on the basis of space used for dwelling units, but shall not exceed the maximum permitted by the FAR ratios in section 5.3060, schedule B. In large projects with bonus floor area for residential space, each phase of construction must contain an equal proportion of residential space, unless the project review director finds that requirement is infeasible because of the building design. The residential height and floor area ratio bonuses shall not apply to specialized health care facilities and minimal health care facilities.
  4. Special Public Improvements: Bonus floor area, not to exceed a three-tenths FAR, may be awarded to a project by City Council at its discretion for contributions to a special downtown improvement fund, or for dedication of land and construction of improvements in excess of those required of similarly situated properties. The bonus floor area shall be the cost the contribution divided by the per square foot value

of the project's land as determined by the city. At its discretion, the city may commission one (1) or more fair market appraisals, to be paid for by the contributor, to assist in estimating the per square foot value of the project's land.

5. Planned Block Development: A FAR bonus not to exceed one-tenth will be provided for participation in a planned block development, pursuant to section 5.3082.

*(Ord. No. 1796, 11-5-85; Ord. No. 1992, § 1, 1-5-88; Ord. No. 2736, § 1, 3-7-95; Ord. No. 3225, § 1, 5-4-99)*



**Optima Sonoran Village  
Legislative Modifications of the Downtown District Ordinance  
"Proposed Amended Development Standards Justification"  
2-PA-2010**

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The amended development standards justifications below outline modifications to the previously approved Downtown Regional Commercial Office – Type 2 District, Planned Block Development with Downtown Overlay (D/RCO-2 PBD DO) zoning for Optima Sonoran Village which was approved in July 2010. All changes have been bolded on the "Amended Development Standards 2-PA-2010" document.

**Section 5.3060.Schedule B.I.2a.**

The proposal requests a minor increase of FAR bonus maximum from 0.4 to 0.78 for a total FAR of 2.18 (approximately an 11.5% increase, from the currently approved 726,700 s.f. to 810,000 s.f.) The additional FAR will enable the development a greater variety of unit sizes and types within the project to better serve the community. This request is in response to the dynamic and changing market conditions in Downtown Scottsdale and will help to ensure that the redevelopment of this blighted site maximizes its contribution to the economic vitality, improvement, and sustainability of downtown Scottsdale for many years to come, as well as help to ensure that the project will be a success. In consideration for this increase, Optima will also make a monetary contribution of \$250,000 to be used at the City's discretion for Downtown improvements. This amount was derived by taking 3% of the construction cost attributable to the additional FAR (83,300 s.f.) Further, the proposed increase will allow Optima Sonoran Village to be the pilot project for the City of Scottsdale's newly adopted International Green Construction Code (IGCC). The cost for a developer to build a project of this size to green building code standards is approximately an additional 6%. It will be one of the first projects in the world to be certified under the IGCC, a green construction code that is fully managed by the City of Scottsdale. Optima will work with the City and leverage 35 years of experience in development, architecture, and construction to help develop the most appropriate standards for green construction in Scottsdale.

**Section 5.3060.Schedule B.I.3.**

The proposal requests a minor increase of FAR from 1.8 to 2.18 (approximately an 11.5% increase, from the currently approved 726,700 s.f. to 810,000 s.f.) The additional FAR will enable the development a greater variety of unit sizes and types within the project to better serve the community. This request is in response to the dynamic and changing market conditions in Downtown Scottsdale and will help to ensure that the redevelopment of this blighted site maximizes its contribution to the economic vitality, improvement, and sustainability of downtown Scottsdale for many years to come, as well as help to ensure that the project will be a success. In consideration for this increase, Optima will also make a monetary contribution of \$250,000 to be used at the City's discretion for Downtown improvements. This amount was derived by taking 3% of the construction cost attributable to the additional FAR (83,300 s.f.) Further, the proposed increase will allow Optima Sonoran Village to be the pilot project for the City of Scottsdale's newly adopted International Green Construction Code (IGCC). The cost for a developer to build a project of this size to green building code standards is approximately an additional 6%. It will be one of the first projects in the world to be certified under the IGCC, a green construction code that is fully managed by the City of Scottsdale. Optima will work with the City and leverage 35 years of experience in development, architecture, and construction to help develop the most appropriate standards for green construction in Scottsdale.

**Section 5.3060.Schedule B.III.2.a.**

The proposal requests an increase to a height of 129 feet (including mechanical) and 11 stories on one building located on Camelback Road from 65 feet (not including mechanical) and 7 stories. This request is in response to the dynamic and changing market conditions in Downtown Scottsdale. Also we feel that this allows the architectural composition of the overall project to be improved with greater variety to the site. This modification while being sensitive to the surrounding residential uses will help to define the gateway entrance to Downtown Scottsdale, ensure a variety of unit sizes to better serve the community, and support the goals of the City by providing additional economic support to businesses in Downtown Scottsdale. Optima Sonoran Village will become the pilot project for the City of Scottsdale's newly

adopted International Green Construction Code (IGCC). The cost for a developer to build a project of this size to green building code standards is approximately an additional 6%. It will be one of the first projects in the world to be certified under the IGCC, a green construction code that is fully managed by the City of Scottsdale. Optima will work with the City and leverage 35 years of experience in development, architecture, and construction to help develop the most appropriate standards for green construction in Scottsdale. Optima will also make a monetary contribution of \$250,000 to be used at the City's discretion for Downtown improvements. This amount was derived by taking 3% of the construction cost attributable to the additional FAR (83,300 s.f.).

**Section 5.3061.F.2:**

Although this standard was deleted as to this site we offer the following. The five buildings comprising Optima Sonoran Village are composed of vertically stacked courtyard homes. This unique design creates a series of "bay-window" like elements of up to twenty-five feet separated by deep recesses varying between fifteen and twenty-five feet wide. Each level of the stacked units has a landscaped terrace that helps define the courtyard and provides a livable outdoor landscaped space for each home. The landscaped terraces are interconnected and arranged in an asymmetrical composition on the facade. The terraces provide ten to thirty foot offsets in the facade although not in a prescribed ziggurat manner, but in a dynamic, vibrant composition of shades, deep shadows and rich textures. Since the terraces are all landscaped, the building facade becomes a living vertical garden with an ever-changing array of plant life, vines and flowers.

**Section 5.3060.Schedule B.III.6:**

The standard requires that for buildings adjoining the R-1 district, the inclined stepback plane shall be 1:1 up to a height of 38 feet and 2:1 thereafter on all sides. To provide the appropriate relief the buildings were designed such that at grade level there is an additional setback of approximately forty feet and an open arcade to provide better relief, pedestrian friendly access, and additional landscape buffer from the street. Relief is only required on the north side of the site because the additional height was added only to the northern most building furthest from the residential districts to the south and west and in response to conversations with neighbors to have the least impact on surrounding residential developments.

**Section 5.3061.L:**

The proposal requests a modest increase in density from 50 to 80 dwelling units per gross acre. The General Plan as adopted by the City of Scottsdale in 2001 contains several goals that justify the proposed increase in residential density. The General Plan's vision statement reads in part: *Scottsdale's future as a desirable place to live, work, and visit is dependent upon a dynamic, diversified, and growing economic base that compliments the character of our community.* The Housing Element of the General Plan promotes a wide range of opportunities for people living and working in Scottsdale, people at different life stages, income levels, and social and physical needs. This Element values both: *A community that contains a broad diversity of owner occupied and rental housing types and; A community in which residents can live, work, and play in close proximity and where neighborhoods have easy connections with other neighborhoods and surrounding amenities.* The proposal directly addresses these goals by providing a variety of unit sizes and unit types in the heart of Scottsdale's commercial center with easy pedestrian friendly connections to the amenities offered therein. The General Plan Growth Areas Element states: *Growth areas are intended to discourage sprawl by focusing new development into targeted areas that are most appropriate for integrating open spaces, natural resources, accommodating a variety of land uses, and oriented to multi-modal (transit, pedestrian, bicycling, as well as autos, etc.) activity and establishes as a goal, Direct and sustain growth and expansion in areas of the city that can support a concentration of a variety of uses and are particularly suitable for multimodal transportation and infrastructure expansion and improvements.* Optima Sonoran Village's downtown location is a designated growth area as defined in this Element of the General Plan, and given the high profile regional character of this immediate area, it is an entirely appropriate location for increased residential density. The redevelopment of this site is supported by existing infrastructure and the development will provide enhancements to the public transportation network. This density will serve the dual purpose of increasing vitality and economic activity in the City's core, while preserving scarce desert resources by offering an alternative to urban sprawl. In addition, the proposed increase will allow Optima Sonoran Village to be the pilot project for the City of Scottsdale's newly adopted International Green Construction Code (IGCC).

The cost for a developer to build a project of this size to green building code standards is approximately an additional 6%. It will be one of the first projects in the world to be certified under the IGCC, a green construction code that is fully managed by local municipalities. Optima will work with the City and leverage 35 years of experience in development, architecture, and construction to help develop the most appropriate standards for green construction in Scottsdale. Optima will also make a monetary contribution of \$250,000 to be used at the City's discretion for Downtown improvements. This number was derived by taking 3% of the construction cost attributable to the additional FAR (83,300 s.f.).

**Section 5.3063.C:**

The proposal requests that the mechanical equipment shall not exceed the maximum building height of 129 feet. This modification while being sensitive to the surrounding residential uses will help to define the gateway entrance to Downtown Scottsdale, ensure a variety of unit sizes to better serve the community and support the goals of the City by providing additional economic support to businesses in Downtown Scottsdale. Optima Sonoran Village will become the pilot project for the City of Scottsdale's newly adopted International Green Construction Code (IGCC). The cost for a developer to build a project of this size to green building code standards is approximately an additional 6%. It will be one of the first projects in the world to be certified under the IGCC, a green construction code that is fully managed by the City of Scottsdale. Optima will work with the City and leverage 35 years of experience in development, architecture, and construction to help develop the most appropriate standards for green construction in Scottsdale. Optima will also make a monetary contribution of \$250,000 to be used at the City's discretion for Downtown improvements. This amount was derived by taking 3% of the construction cost attributable to the additional FAR (83,300 s.f.).



## SITE AREAS

SITE AREA (ACRES)	9.8
SITE AREA (SQ FT)	429,718
NET SITE AREA (ACRES)	8.5
NET SITE AREA (SQ FT)	371,287

### RESIDENTIAL UNITS

STUDIO / ONE BEDROOM	454
TWO BEDROOM / THREE BEDROOM	327
TOTAL	781
DENSITY (UNITS / ACRE)	80

## AREA

AMENITIES (SQ FT)	27,500
COMMERCIAL (SQ FT)	12,500
RESIDENTIAL (SQ FT)	770,000
TOTAL	810,000
FAR	2.180

PARKING / CIRCULATION / MECHANICAL AREA (SQ FT)	600,000
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PARKING SPACES

COMMERCIAL (12,500 / 300 = 42 SPACES) SEE TOTAL  
 \* COMMERCIAL TOTAL INCLUDES 4% ACCESSIBLE SPACES (3)

RESIDENTIAL ((454 x 1) + (327 x 2) = 1,108 SPACES) SEE TOTAL  
 \* RESIDENTIAL TOTAL INCLUDES 2% ACCESSIBLE SPACES (22)

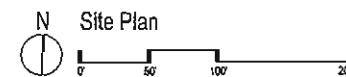
PARKING TOTALS

\* INCLUDES 42 COMMERCIAL, 1100 RESIDENTIAL, AND 30 VISITOR SPACES  
\* INCLUDES (25) ACCESSIBLE SPACES OF WHICH (4) ARE VAN ACCESSIBLE

PROJECT OPEN SPACE	265,046
--------------------	---------

PRIVATE OUTDOOR LIVING SPACE 60 SF / UNIT MIN

1-II & 1-ZN-2010#2  
1st: 1/25/12



OPTIMA SONORAN VILLAGE

DAVID HOVEY AND ASSOCIATES ARCHITECT, INC 7147 EAST RANCHO VISTA DRIVE, SUITE 104 SCOTTSDALE, AZ 85261





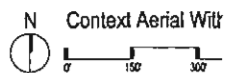
SURROUNDING CONTEXT 750'-0" FROM  
THE OPTIMA SONORAN VILLAGE SITE

ATTACHMENT #14

optima

03.08.12

1-II & 1-ZN-201  
1st: 1/25/12



OPTIMA SONORAN

DAVID HOVEY AND ASSOCIATES ARCHITECT, INC 7147 EAST RANCHO VISTA DRIVE, SUITE 104 SCOTTSDALE, AZ 85250







North Perspective  
Conceptual Elevation

optima<sup>®</sup>  
4.18.12

OPTIMA SONORAN VILLAGE

DAVID HOVEY AND ASSOCIATES ARCHITECT, INC. 7147 EAST RANCHO VISTA DRIVE, SUITE 104, SCOTTSDALE, AZ 85251

88-DR-2010#2  
1st: 4/17/2012

15150105-2010#2-100-REVISED-1-17-14

15150105-2010#2-100-REVISED-1-17-14





ATTACHMENT #16

optima

4.18.12

Northwest Perspective

OPTIMA SONORAN VILLAGE

DAVID HOVEY AND ASSOCIATES ARCHITECT, INC. 7147 EAST RANCHO VISTA DRIVE, SUITE 104, SCOTTSDALE, AZ 85251





optima

4.18.12

Courtyard Concept

OPTIMA SONORAN VILLAGE

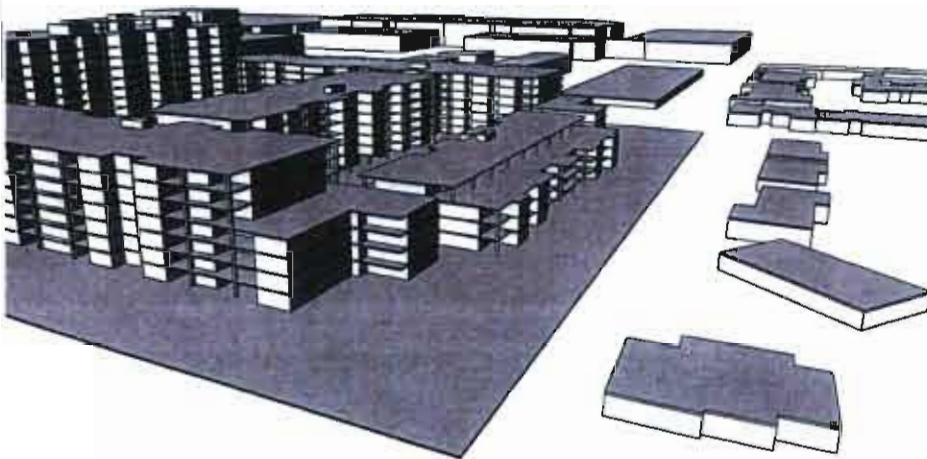
DAVID HOVEY AND ASSOCIATES ARCHITECT, INC. 7747 EAST RANCHO VISTA DRIVE, SUITE 104, SCOTTSDALE, AZ 85251



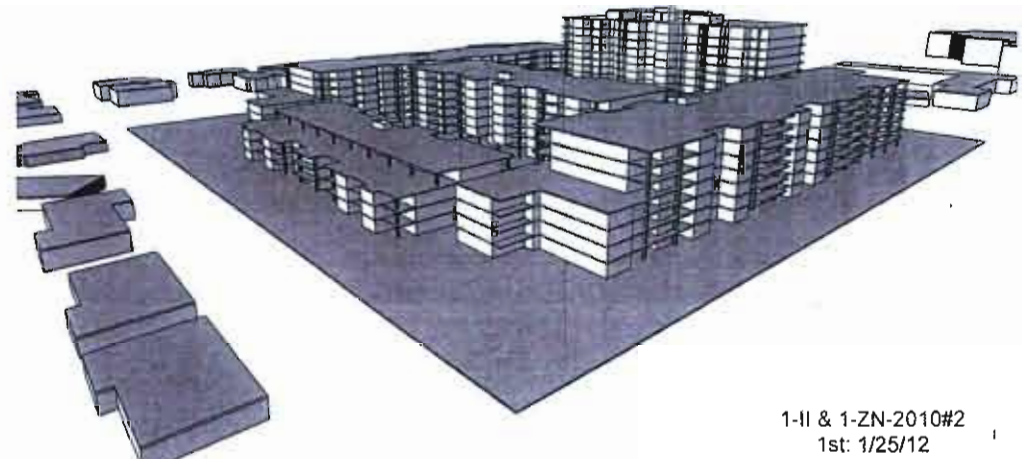
View from North West Corner of Site



View from North East Corner of Site



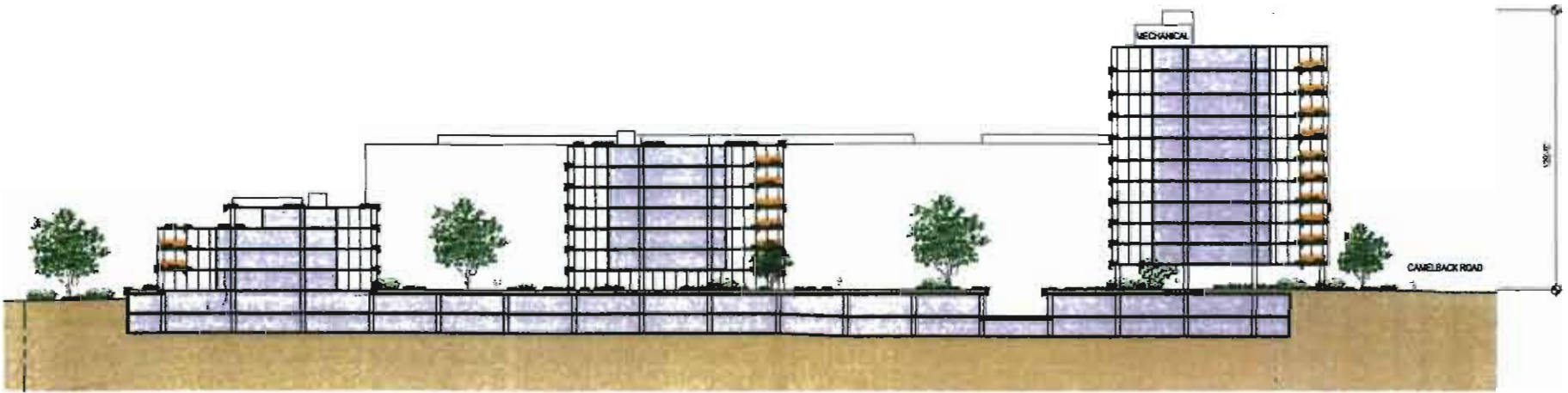
View from South West Corner of Site



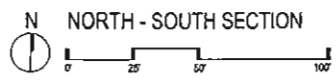
View from South East Corner of Site

1-II & 1-ZN-2010#2  
1st: 1/25/12





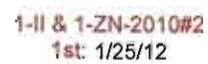
1-11 & 1-ZN-2010#2  
1st: 1/25/12



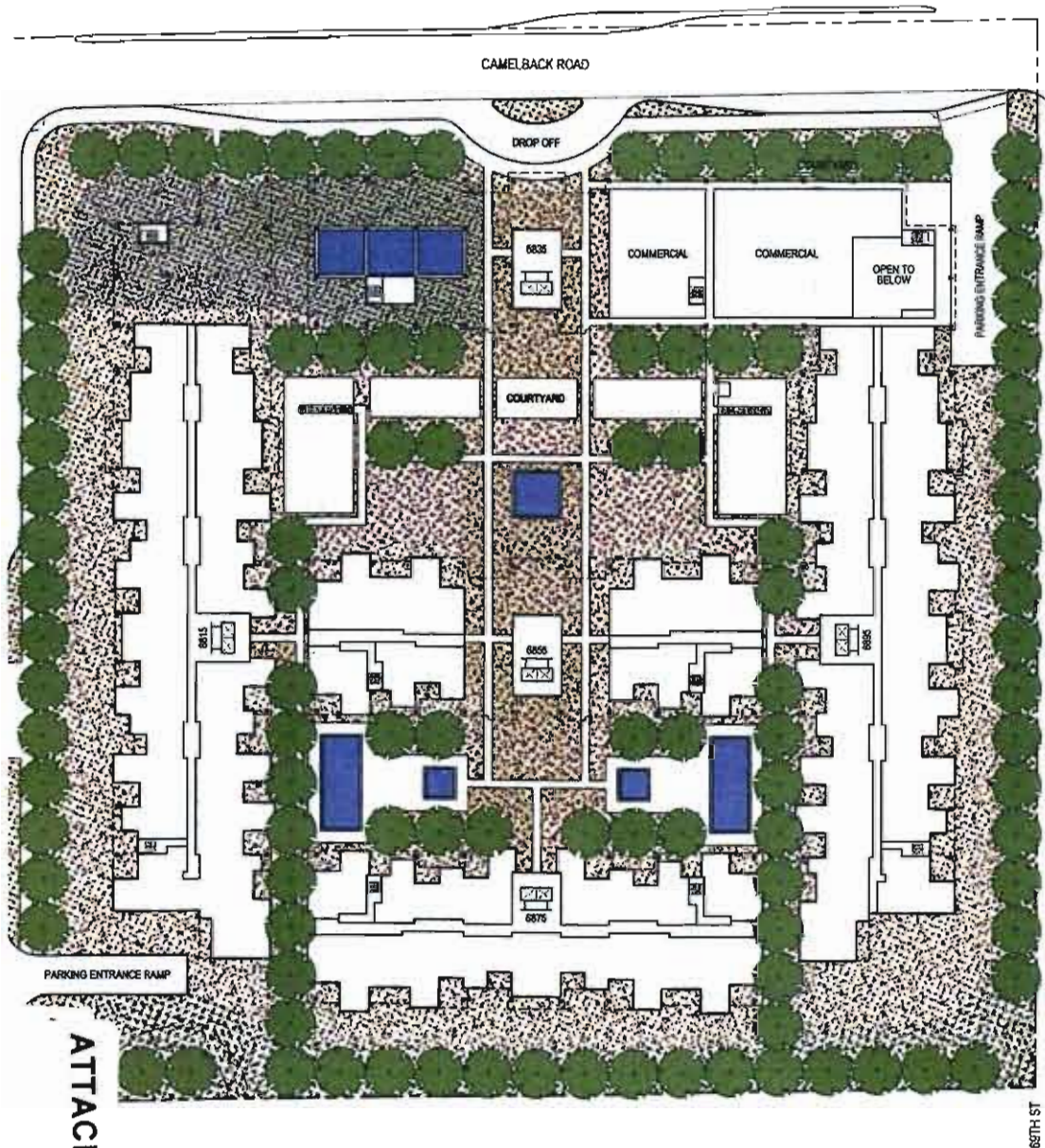
OPTIMA SONORAN VILLAGE

DAVID HOVEY AND ASSOCIATES ARCHITECT, INC 7147 EAST RANCHO VISTA DRIVE, SUITE 104 SCOTTSDALE, AZ. 85251

ATTACHMENT #18

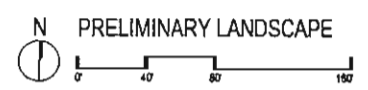


DAVID HOVEY AND ASSOCIATES ARCHITECT, INC 7147 EAST RANCHO VISTA DRIVE, SUITE 104 SCOTTSDALE, AZ 85251



1-II & 1-ZN-2010#2  
1st: 1/25/12

- Streetscape Zone
- Gateway Zone
- Courtyard Zone
- Buffer Zone
- Private Yard



OPTIMA SONORAN VILLAGE

DAVID HOVEY AND ASSOCIATES ARCHITECT, INC 7147 EAST RANCHO VISTA DRIVE, SUITE 104 SCOTTSDALE, AZ 85251

ATTACHMENT #19

**Stevens, Katie**

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**From:** igor8020@gmail.com  
**Sent:** Friday, May 18, 2012 7:51 PM  
**To:** Jagger, Carolyn; Stevens, Katie  
**Subject:** Agenda Item Comment for 05/22/12 - Item 11

Meeting Date: 05/22/12  
Item Number: 11

Contact Information (if blank, user did not provide):

Name: igor yevtushenko  
Address: 28248 n tatum  
C/S/Z: cve creek, AZ 85331  
Phone: 480 7035918

Comment for 05/22/12 Item 11:

I am the owner of the lot and going to build a house in sec 31 this year.  
It would be great to access from dynamite and to install asphalt if possible. Thank you Igor Yevtushenko, lot 21685056

# **Optima Sonoran Village**

**1-ZN-2010#2 & 1-II-2012**

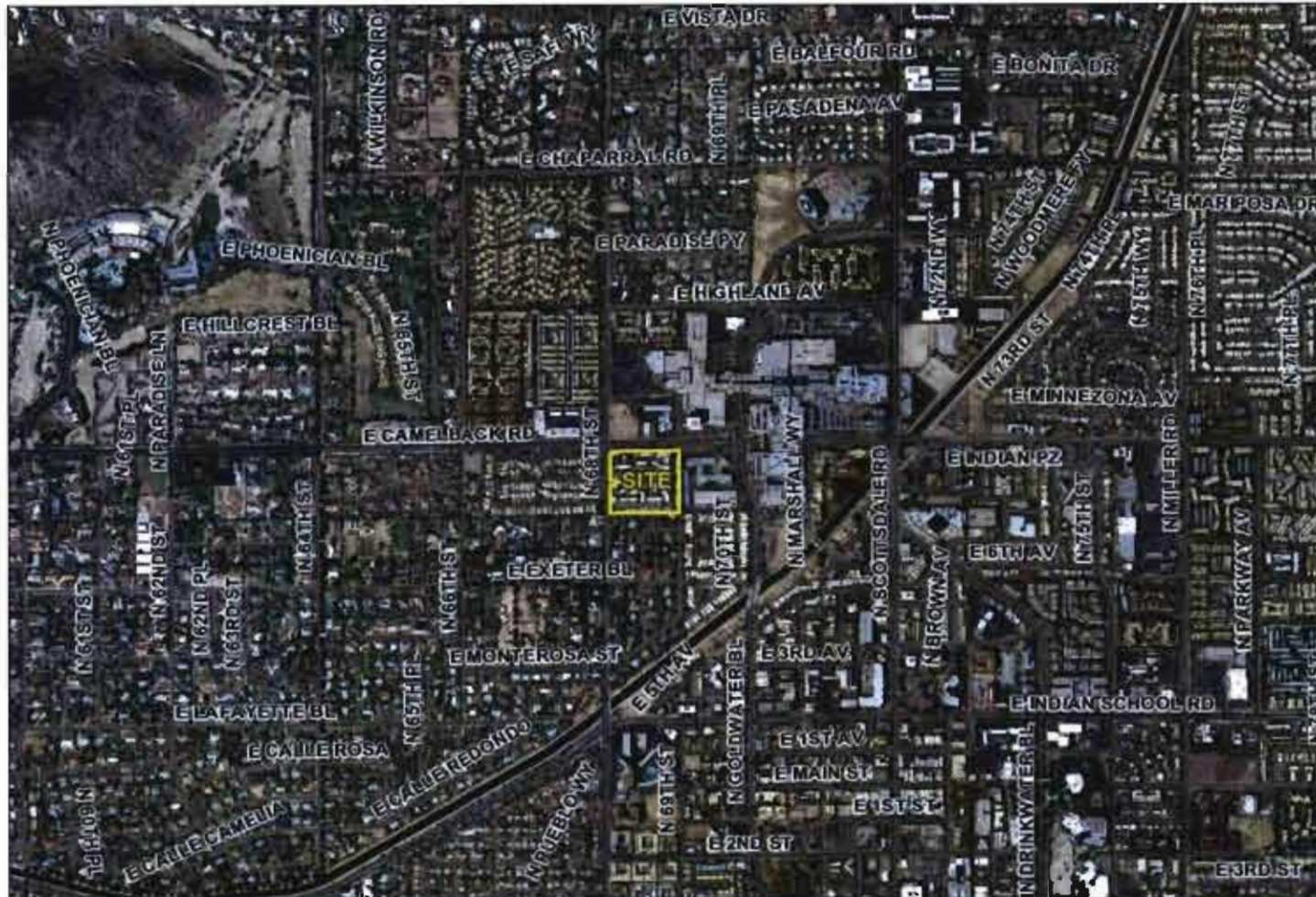
City Council

May 22, 2012

Coordinator: Brad Carr, AICP



# Optima Sonoran Village



CONTEXT AERIAL

1-ZN-2010#2 & 1-II-2012

# Optima Sonoran Village



**CLOSE-UP AERIAL**

**1-ZN-2010#2 & 1-II-2012**



# Optima Sonoran Village



**ZONING MAP**

**1-ZN-2010#2 & 1-II-2012**

# Optima Sonoran Village



**SITE PLAN**

**1-ZN-2010 #2 & 1-II-2012**

# Optima Sonoran Village



North Perspective  
11 Story Proposal  
Conceptual Elevation

optima  
4/1/12

88-CIR-2010#2  
1st: 4/17/2012

OPTIMA SONORAN VILLAGE

THEY'RE HERE AND HERE'S THE HISTORY: THE 21ST EAST RANCHO VILLAGE DRIVE, SUITE 100, SCOTTSDALE, AZ 85257

**BUILDING ELEVATION**

**1-ZN-2010 #2 & 1-II-2012**

# Optima Sonoran Village



Northwest Perspective  
11 Story Proposal  
Conceptual Elevation

88-DR-2010#2  
Tel. 4/17/2012

OPTIMA SONORAN VILLAGE

DRUCKMAYER AND ASSOCIATES ARCHITECT, INC. 1041 EAST RANCHO VISTA DRIVE, SUITE 104, SCOTTSDALE, AZ 85261

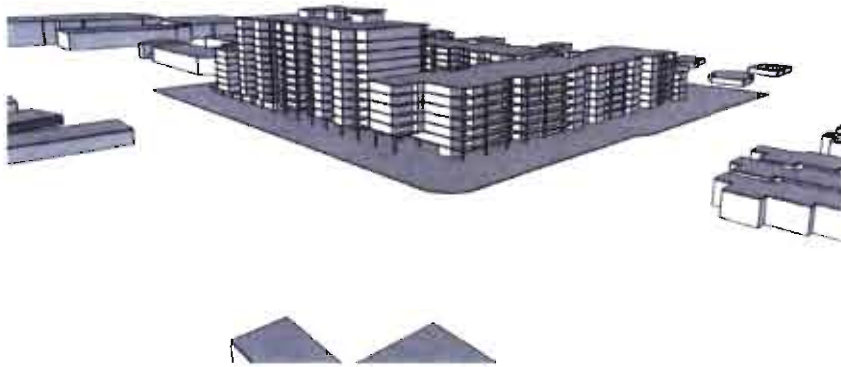
optima  
4.18.12

PERSPECTIVE

1-ZN-2010 #2 & 1-II-2012



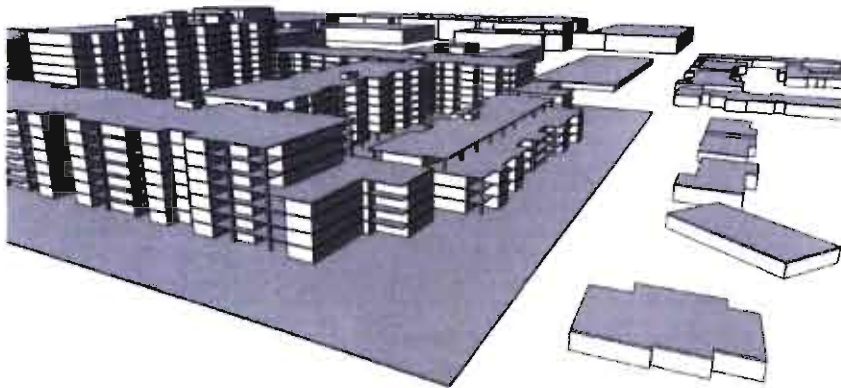
# Optima Sonoran Village



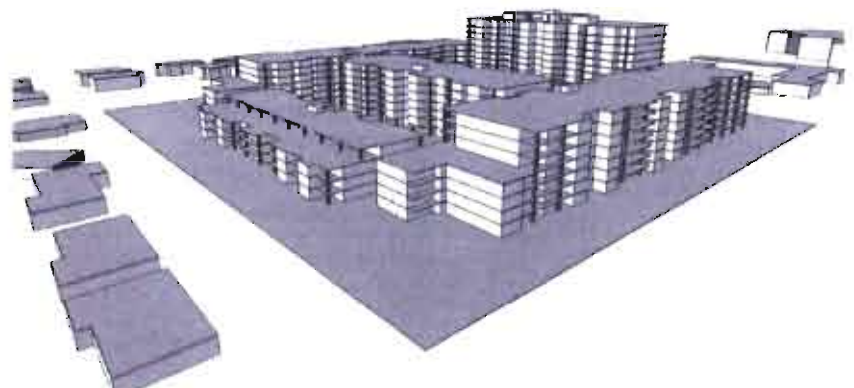
View from North West Corner of Site



View from North East Corner of Site



View from South West Corner of Site



View from South East Corner of Site

**MASSING MODEL**

**1-ZN-2010 #2 & 1-II-2012**

# Optima Sonoran Village

## Amended Site Development Standards

Development Requirement	Required/Allowed Standard	Amended Standard
<i>Residential/hotel FAR bonus maximum</i>	0.4	0.78
<i>Total maximum FAR</i>	1.8	2.18
<i>Maximum Building Height – planned block development</i>	65 feet (not more than 5 levels)	129 feet (inclusive of roof top mechanical and/or apparatus)
<i>Large Walls – Vertical dimension maximum</i>	38 feet without additional setback	129 feet without additional setback
<i>Building Envelope</i>	1:1 up to a height of 38 feet, 2:1 thereafter on all sides of a property	1:1 up to a height of 38 feet, 2:1 thereafter on the east, south and west sides of a property, and 4:1 thereafter on the north side of a property
<i>Section 5.3062.L. – maximum density</i>	50 dwelling units per gross acre	80 dwelling units per gross acre
<i>Section 5.3063.C. – Exceptions to height limits</i>	Allows various elements to exceed maximum building height	Clarify that no exceptions to maximum building height

**1-ZN-2010 #2 & 1-II-2012**



# Optima Sonoran Village

## Case Comparison

<b>Previous Approval (1-ZN-2010)</b>	<b>Current Proposal (1-ZN-2010#2 / 1-II-2012)</b>
Building Height: 65 feet Density: 50 du/gross acre Dwelling Units: 493 units Floor Area: 726,700 sf FAR: 1.8 Open Space: 262,030 sf	Building Height: 129 feet Density: 80 du/gross acre Dwelling Units: 781 units Floor Area: 810,000 sf FAR: 2.18 Open Space: 266,046 sf
Public Benefits - \$3,200,000 value Public open space, burying of existing power lines, construction to established green standard	Public Benefits – additional \$250,000 Pedestrian circulation improvements in Downtown

**1-ZN-2010 #2 & 1-II-2012**

# Optima Sonoran Village

## Public Improvements

- The General Plan, the Downtown Plan and the Infill Incentive Plan have established goals and policies to promote private investment in public improvements where appropriate
- Formula provided to define public benefit requirement based on square foot value of project site
- Public Improvements provided by this project:
  - “Gateway Corner” public park/plaza
  - Undergrounding of overhead power lines along south side of project
  - Re-vegetation of abandoned alley along south side of project
  - Monetary contribution of \$250,000
  - Total value of public improvements: \$3,450,000

**1-ZN-2010 #2 & 1-II-2012**

# **Optima Sonoran Village**

## **Application Requests**

- Amendment to prior case stipulations and Development Plan, and a recommendation of approval for an Infill Incentive District application, including amended development standards.
- The Planning Commission recommended approval of the amended site development standards and revised Development Plan by a vote of 5-0.
- The Development Review Board recommended approval of the amended site development standards and revised Development Plan by a vote of 6-0.

**1-ZN-2010 #2 & 1-II-2012**

# **Optima Sonoran Village**

**1-ZN-2010#2 & 1-II-2012**

Planning Commission

May 22, 2012

Coordinator: Brad Carr, AICP

# Optima Sonoran Village



## APPROVED SITE CROSS SECTIONS

**1-ZN-2010 #2 & 1-II-2012**

# Optima Sonoran Village



**PROPOSED SITE CROSS-SECTIONS**

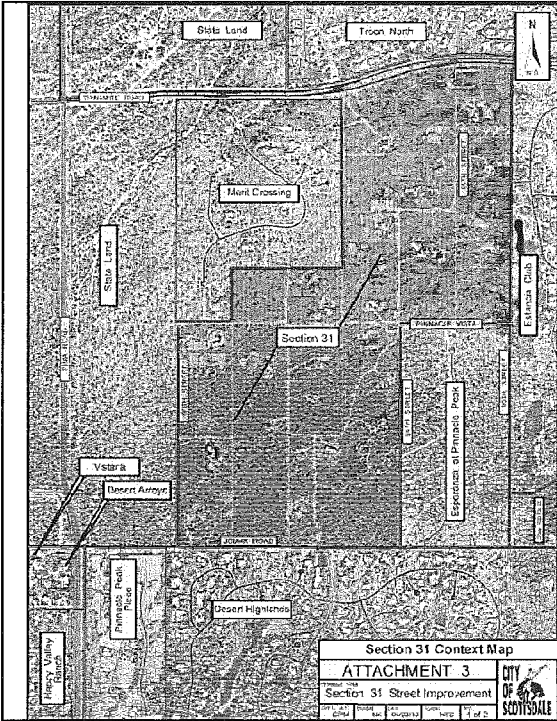
**1-ZN-2010#2**

# Section 31

## Public Road Access

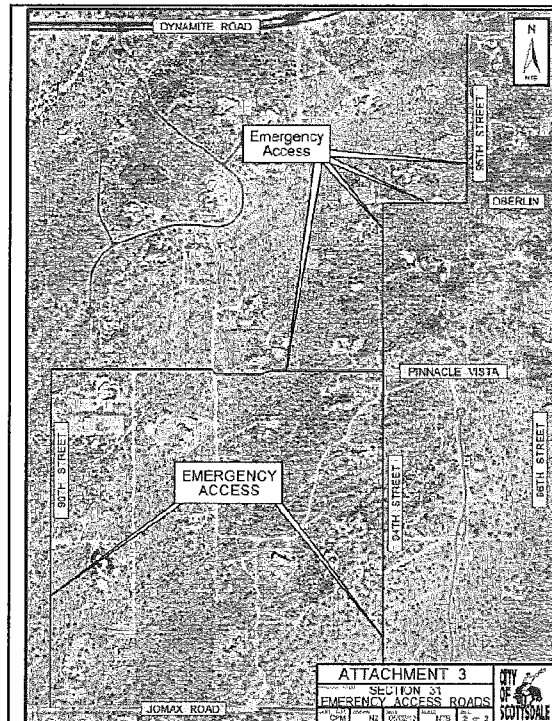


May 22, 2012

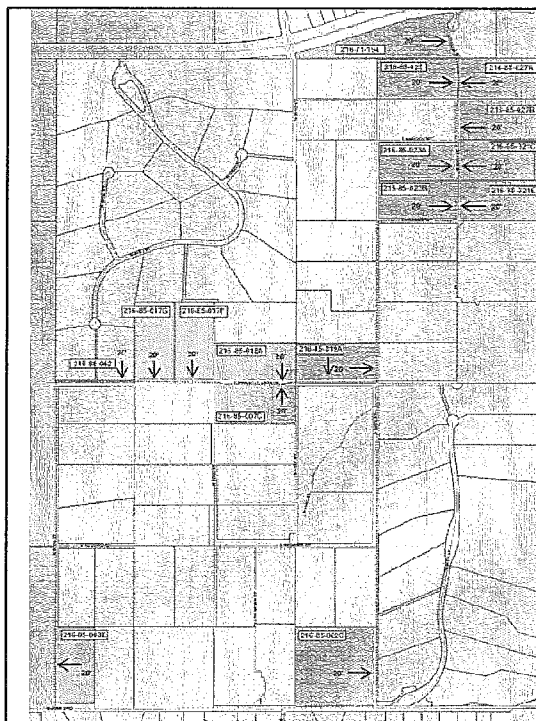


Context Map





## Emergency Access Routes



## Acquisitions





## **Council Action**

■ Adopt Resolution 8975 Authorizing a General Fund CIP Contingency Transfer in an Amount of \$612,000 to Create a New CIP Project Titled Section 31 Emergency Access Roads to be Funded by the Transportation Sales Tax

■ Adopt Resolution 8976 Authorizing and Directing Acquisition of 20 Feet of Permanent Road Right-of-Way From Various Property Owners Within Portions of Section 31 North of Jomax and East of Pima Road

